

MINNEAPOLIS CITY COUNCIL OFFICIAL PROCEEDINGS

REGULAR MEETING OF July 25, 2008

(Published August 2, 2008, in *Finance and Commerce*)

Council Chamber
350 South 5th Street
Minneapolis, Minnesota
July 25, 2008 - 9:30 a.m.

Council President Johnson in the Chair.

Present - Council Members Hofstede, Ostrow, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Goodman, Hodges, Gordon, President Johnson.

Absent – Council Member Samuels.

Lilligren moved adoption of the agenda. Seconded.

Adopted upon a voice vote 7/25/2008.

Absent - Samuels.

Lilligren moved acceptance of the minutes of the regular meeting of July 11, 2008 and the adjourned session held July 18, 2008. Seconded.

Adopted upon a voice vote 7/25/2008.

Absent - Samuels.

Lilligren moved referral of petitions and communications and reports of the City officers to the proper Council committees and departments. Seconded.

Adopted upon a voice vote 7/25/2008.

Absent - Samuels.

PETITIONS AND COMMUNICATIONS

COMMUNITY DEVELOPMENT (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272901)

Mpls Housing Replacement Tax Increment Financing District II: Addition of 23 & deletion of 23 parcels.

American Indian Community Development Corporation (re 2313-13th Ave S, 1913, 1919 & 1929 Columbus Ave S & 726 & 730 E Franklin Ave): Extension of exclusive development rights on six parcels.

Standard Plymouth LLC (a/k/a Standard Heating & Air Conditioning, Inc) (re development of NE corner of 2nd St N & Plymouth Ave N): Approval of MILES funding assistance & extension of closing deadline for three City-owned parcels.

Park Dedication Fee: Report on research & analysis on impact of fees; directions to staff.

COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET (See Rep):

COMMUNITY PLANNING & ECONOMIC DEVELOPMENT (272902)

Holmes Urban Renewal Plan: Modification No 9 to Plan & Modification No. 112 to Common Development & Redevelopment & Redevelopment and Common Tax Increment Finance Plan.

MN Department of Employment & Economic Development Redevelopment Grant Program: Applications for redevelopment projects of Bassett Creek Valley (Van White Roundabout), Broadway Plaza and Jackson Street Affordable Live-Work Housing.

Land Exchange w/Mpls Park & Recreation Board (re Shingle Creek Properties, 1610, 1622 & 1700 49th Ave N and Park Board properties at 901 45th Ave N, 4959 Knox Ave N, 5201 Oliver Ave N, and 5200 Penn Ave N): Amend terms of the Land Exchange with the Park Board of the Shingle Creek and Park Board properties.

Metropolitan Council Livable Communities Local Housing Incentives Account Grant: Accept grant for City of Lakes Community Land Trust Affordability Initiative.

Alatus Management LLC (re Downtown East Parking Ramp): Amendment to purchase & sale agreement regarding purchase option.

GRANTS AND SPECIAL PROJECTS (272903)

2008 HUD Housing Opportunities for Persons with Aids (HOPWA): Approve HOPWA grant funding to Metropolitan Council Housing & Redevelopment Authority & MN Aids Project.

PURCHASING (272904)

Bids:

Target Center Drapery Replacement (OP No. 6979): Low bid of Tobins Lake Sales;

Target Center Acoustics Improvements (OP No. 6988): Responsive bid of Chicago Flyhouse, Inc.

HEALTH, ENERGY AND ENVIRONMENT:

CIVIL RIGHTS (272905)

2007 - 2011 Business Plan.

HEALTH AND FAMILY SUPPORT SERVICES (272906)

Public Health Advisory Committee: Update report.

Public Health Emergency and Preparedness: Quarterly update report.

HEALTH, ENERGY AND ENVIRONMENT (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (272907)

Community Health Assessment and Action Plan: Authorize submit to Minnesota Department of Health the final components of the Community Health Assessment and Action Plans.

HEALTH, ENERGY AND ENVIRONMENT and WAYS & MEANS/BUDGET (See Rep):

HEALTH AND FAMILY SUPPORT SERVICES (272908)

Master Grant Contract with State of Minnesota: Execute five-year contract with State of Minnesota, acting as Minneapolis Board of Health, with individual projects and funding to be issued through Project Agreements; and Authorize Commissioner of Health to sign the individual Project Agreements as the Community Health Services Administrator for the City.

REGULATORY SERVICES (272909)

Lead Hazard Reduction: Accept additional grant award of \$15,000 from Minnesota Department of Health to provide temporary lead safe housing to low income families displaced during lead hazard reduction activities; and Approve appropriation.

PUBLIC SAFETY AND REGULATORY SERVICES:

REGULATORY SERVICES (272910)

Rental Dwelling License at 1939 E 26th St: Request to reinstate license.

PUBLIC SAFETY AND REGULATORY SERVICES (See Rep):

LICENSES AND CONSUMER SERVICES (272911)

Hotel Minneapolis (401 2nd Av S): Grant On-Sale Liquor Class A with Sunday Sales License, with conditions.

J J Grocery (3201 Cedar): Grant Grocery and Tobacco Dealers Licenses, with conditions.

U Garden Restaurant (2725 University Av SE): Grant On-Sale Liquor Class A with Sunday Sales License, with conditions.

Conga Latin Bistro (501 E Hennepin Av): Grant On-Sale Liquor Class B with Sunday Sales License, with conditions.

Las Mojarras Restaurant Bar (1507 E Lake St): Grant On-Sale Liquor Class B with Sunday Sales License, with conditions.

Chambers Hotel (901 Hennepin Av): Grant Valet License, with conditions.

LICENSES AND CONSUMER SERVICES (272912)

Licenses: Applications.

LICENSES AND CONSUMER SERVICES (272913)

Tobacco Dealers: Ordinance establishing location restrictions.

Business License Categories: Ordinance adding additional business license categories that may be administratively approved by the Director of Licenses & Consumer Services.

MAYOR (272914)

Fire Chief: Appoint Alex Jackson as Fire Chief for term to expire January 4, 2010.

PROTEST RNC 2008 COALITION (272915)

Public Assemblies: Letter regarding police policies during public assemblies.

PUBLIC SAFETY AND REGULATORY SERVICES and WAYS & MEANS/BUDGET (See Rep):

ATTORNEY (272916)

2008 Republican National Convention: Execute Joint Powers Agreement with City of St. Paul regarding public safety and reimbursement process related to the Republican National Convention.

FIRE DEPARTMENT (272917)

Fire Turn-Out Gear: Accept \$40,000 from Allianz Life Insurance Company of North America to purchase and maintain personal protective equipment; and Approve appropriation.

POLICE DEPARTMENT (272918)

Second Precinct Buy Back: Approve appropriation for police buy back contributed by Gabby's Saloon & Eatery.

Intergovernmental Assistance: Execute agreement with Minnesota Department of Public Safety for reimbursement of costs to provide assistance to Cedar Rapids, Iowa during their flooding.

REGULATORY SERVICES (272919)

2005 Urban Area Security Initiative: Extend grant agreement with Minnesota Department of Public Safety to continue efforts to strengthen terrorism response capabilities.

2005 State Homeland Security Grant: Extend grant agreement with Minnesota Department of Public Safety to continue support of Law Enforcement Terrorism Prevention Program.

2005 State Homeland Security Grant: Extend grant agreement with Minnesota Department of Public Safety to expend remaining grant funds.

2005 State Homeland Security Grant: Extend grant agreement with Minnesota Department of Public Safety to support ongoing efforts of Metropolitan Medical Response System.

TRANSPORTATION AND PUBLIC WORKS:

CenterPoint Energy (272921)

Utility Pole Installation at 2700 University Ave SE.

PUBLIC WORKS AND ENGINEERING (272920)

Snow and Ice Removal from Public Sidewalks: Set assessment public hearing.

Bike Walk Ambassador Program: Receive and file update.

Traffic Zones, Restrictions, and Controls: 2nd Quarter 2008 report.

Quarterly Traffic Zones, Restrictions, and Controls: Documentation for 1st Quarter, 2008 (See Petn No 272717).

TRANSPORTATION AND PUBLIC WORKS (See Rep):

PUBLIC WORKS AND ENGINEERING (272922)

Fiber Optic Communication Lease: Agreements with Minneapolis Venture, LLC.

Uptown Art Fair: Block Event permit.

The Village Arts Festival: Block Event permit.

Railroad Quiet Zone and Safety Projects: Agreement with State of Minnesota and Minnesota Commercial Railroad.

TRANSPORTATION AND PUBLIC WORKS and WAYS & MEANS/BUDGET (See Rep):

PUBLIC WORKS AND ENGINEERING (272923)

Marquette Ave & 2nd Ave Street Reconstruction/Transit Project: Project approval and adoption of assessments.

Bloomington Ave S and 20th Ave S Street Resurfacing Project: Project approval and adoption of assessments; Comments.

Xerxes Ave N Street Renovation Project: Project approval and adoption of assessments.

Malcolm Ave SE Street Reconstruction Project: Project approval and adoption of assessments.

Sidewalk Contracts: Amend contracts with Standard Sidewalk, Inc. and Ti-Zack Concrete, Inc.

Intex Corporation: Amend contract for crushing rubble concrete.

Cedar Lake Trail: Interagency agreement with Mn/DOT; and amend Met Council Agreement.

Structural Inspection and Testing Services for City-owned/operated parking ramps: Issue RFP.

Office Space Lease: Execute lease with Larson Properties, LLC for space in Flour Exchange (310 4th Ave S) for Fire Department.

Property Disposition Fund: Clarification of use.

PUBLIC WORKS AND ENGINEERING (272924)

Office Space Lease: Amend contracts for lease of suites in Tri Tech Building (331 2nd Ave S) for Business Information Services.

Lease of City-Owned Office Space: Five-year lease with Goldberg Bonding, Inc. for space in Jerry Haaf Municipal Parking Ramp (418 S 4th St).

Midtown Greenway Bike Center: Amend construction contract with Frerichs Construction.

Composting/Disposal of Street Sweepings, Yard Wastes, and Leaves: Authorize negotiation and execution of contract(s) with RW Farms, LLC and/or Resource Recovery Technologies, LLC.

Victory Memorial Parkway Improvements: Agreement between City of Minneapolis, Minneapolis Park and Recreation Board, and Met Council relating to bus operations on Parkway.

Bids: a) OP 6957, Aduddell Roofing, for roofing repairs; b) OP 6960, Crowley Company, Inc., for Columbia Heights Entrance Project; c) OP 6970, Madsen-Johnson Corporation, for renovation of Pump Station No 4; d) OP 6976, Hawkins, Inc., for ferric sulfate; e) OP 6981, Hawkins, Inc., for sodium permanganate; and f) OP 6990, Shaffer Consulting Co, Inc, for the 2nd Ave S and Marquette Ave S Reconstruction/Transit Project.

WAYS AND MEANS BUDGET:

FINANCE DEPARTMENT (272925)

Special Compensation Fund: 2008 1st Half Assessment.

Capital Long-Range Improvement Committee (CLIC): 2009-2013 recommendations.

FIRE DEPARTMENT (272926)

July 2008 Monthly Budget Status Report.

WAYS AND MEANS BUDGET (See Rep):

ATTORNEY (272927)

Legal Settlement: Edith Madora Hudson v. City of Minneapolis and John Mills.

BUSINESS INFORMATION SERVICES (BIS) (272928)

Unisys Contract: Increase contract C-25200 for Network Intrusion Detection System.

Unisys Contract: Increase contract C-25200 for City Attorney's Office laptops.

CONVENTION & VISITORS ASSOCIATION OF GREATER MPLS (272929)

Meet Minneapolis Contract: Authorize use of outside vendor for contract study.

FINANCE DEPARTMENT (272930)

35W Reimbursements: Federal Emergency Management Agency (FEMA) and Federal Highway Administration (FHWA).

Meter Coin Armored Car Services: Issue RFP.

Department Appropriation Modifications: Use of Contingency.

HUMAN RESOURCES (272931)

New Appointed Position: Deputy Director Managed Services, Business Information Services.

New Appointed Position: Council Office Associates.

International Union of Operating Engineers, Local 70: Labor agreement.

International Association of Machinists and Aerospace Workers, District Lodge 77: Labor agreement.

AFSCME Council 5, Local 9, 911 Unit: Labor agreement.

PUBLIC WORKS AND ENGINEERING (272932)

On-Street Parking Meter Contract: Permanent Review Committee findings regarding RFP for services.

ZONING AND PLANNING (See Rep):

HERITAGE PRESERVATION COMMISSION (272933)

Appeal: 822 26th Ave NE: Appeal from decision of HPC denying an application for Demolition of an Historic Resource.

INSPECTIONS/BOARD OF ADJUSTMENT (272934)

Appeal: Northeast Palace (2500 4th St NE): appeal of three variance application denials to allow existing exterior signage.

PLANNING COMMISSION/DEPARTMENT (272935)

Interim Use Permit:

Washburn Center for Children (2437 Nicollet Ave) to allow a 24 space temporary commercial surface parking lot.

Rezoning:

Sydney Hall/Dinky Dome Redevelopment (1500-1506 4th St SE & 310-316 15th Ave SE): to allow 198 dwelling units.

Andrew Riverside Senior Housing (401 8th Ave SE): to allow a 39-unit senior housing facility with a 5,400 square foot religious place of assembly.

Appeal:

Sydney Hall/Dinky Dome Redevelopment (1500-1506 4th St SE & 310-316 15th Ave SE): appeal of decisions on variances, conditional use permits, and site plan review to allow a 13 story building with 198 dwelling units.

Vacations:

Premier Storage, LLC (2845 Harriet Ave S): alley vacation.

Corrections:

KK Corporation (3725-3729 29th Ave S): correction to legal description in Resolution 2008R-203.

The Cornerstone Group (2848 Pleasant Ave, 2821 & 2825 Grand Ave S): correction to legal description in Resolution 2004R-200.

MOTIONS:

POLICE DEPARTMENT (272935.1)

Bomb Squad Robot System: Accept bid of Foster Miller to furnish and deliver robot to the Police Department.

FILED:

CHARTER COMMISSION (272936)

Revised Charter: a) Draft 11 dated July 9, 2008; b) Draft 11 redlined; and c) Report with Recommendation.

KK CORPORATION (272937)

Permission to vacate 37th Street East from 29th Ave South to the Light Rail Corridor.

The following reports were signed by Mayor Rybak on July 28 and 29, 2008, unless noted otherwise. Minnesota Statutes, Section 331A.01, Subd 10, allows for summary publication of ordinances and resolutions in the official newspaper of the city.

REPORTS OF STANDING COMMITTEES

The COMMUNITY DEVELOPMENT Committee submitted the following reports:

Comm Dev - Your Committee recommends passage of the accompanying resolution adding 23 parcels to, and deleting 23 parcels from, the Minneapolis Housing Replacement Tax Increment Financing District II.

Adopted 7/25/2008.

Absent – Samuels.

Resolution 2008R-292, adopting the addition of 23 parcels to, and the deletion of 23 parcels from, Housing Replacement Tax Increment Financing District II, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-292

By Goodman

Adopting the addition to and deletion from Housing Replacement Tax Increment Financing District II of the below stated parcels.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals

Pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the of Minneapolis (the "City"), acting by and through its department of Community Planning and Economic Development, has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174, as amended, and Laws of Minnesota 1995, Chapter 264, Article 5, Sections 44 through 47, as amended by Minnesota Session Laws 1996, Chapter 471, Article 7, Minnesota Session Laws 1997, Chapter 231, Article 10, and Minnesota Session Laws 2002, Chapter 377, Article 7 (the "Act") and other laws enumerated therein (collectively, the "Project Laws").

By Resolution No. 2003R-386 duly adopted on August 22, 2003, the City Council of the City (the "Council") adopted a resolution approving the Minneapolis Housing Replacement TIF District II Plan enabling the Agency to establish a Housing Replacement Tax Increment Financing District (the "District") within the City.

That the Act and the Plan specify the procedures whereby parcels may be added to and deleted from the District.

It has been proposed that the City adds 23 parcels to the District and deletes 23 parcels previously added to the District.

Section 2. Findings for the Adoption of the Plan

The Council further finds, determines and declares that 23 parcels are being deleted from the District.

The Council further finds, determines and declares that the intended acquisition of these parcels did not take place and redevelopment did not occur, pursuant to the Project Laws.

The Council further finds, determines and declares that the parcels to be added to and certified within the District do not include vacant parcels.

The Council further finds, determines and declares that the intended reuse of these parcels is market-rate, owner-occupied housing, pursuant to the Project Laws.

The Council further finds, determines and declares that there will be 100 parcels in the Minneapolis Housing Replacement TIF District II with the inclusion and deletion of the parcels identified on Attachment 1 to this resolution. The maximum number of parcels that can be included in the District is 100 parcels.

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the following parcels are hereby approved for deletion (stricken through) and inclusion (underscored) as part of the Minneapolis Housing Replacement TIF District II.

Existing Housing Replacement District II Properties (100)

~~2505 Irving Avenue North~~
~~2509 Irving Avenue North~~
2709 Humboldt Avenue North
~~3010 Queen Avenue North~~
2354 James Avenue North
3243 Aldrich Avenue North
3210 Aldrich Avenue North
3250 6th Street North
3223 6th Street North
4515 5th Avenue South
2750 Thomas Avenue North
1900 Willow Avenue North – Lowell School Site Assemblage
1418 25th Avenue North
2627 Fremont Avenue North
1014 30th Avenue North
1316 14th Avenue North
~~1400 25th Avenue North~~
~~3246 Emerson Avenue North~~
~~2300 James Avenue North~~
2127 Queen Avenue North
3207 Bryant Avenue North
~~2517 James Avenue North~~
2641 Emerson Avenue North
2615 Thomas Avenue North
1518 Morgan Avenue North
2511 James Avenue North
2525 James Avenue North
2638 Colfax Avenue North
2814 Knox Avenue North
2542 17th Avenue South
2826 14th Avenue South
3504 Longfellow Avenue South
3343 Fremont Avenue North
630 19th Avenue NE
2751 Sheridan Avenue North
2119 James Avenue North

2302 Fremont Avenue North
419 31st Avenue North
427 31st Avenue North
428 31st Avenue North
429 31st Avenue North
1415 18th Avenue NE
3519 Oliver Avenue North
2534 James Avenue North
2530 James Avenue
~~1620 26th Avenue North~~
~~1712 26th Avenue North~~
~~1716 26th Avenue North~~
2101 Iliion Avenue North
1000 30th Avenue North
406 30th Avenue North
420 30th Avenue North
409 31st Avenue North
415 31st Avenue North
424 31st Avenue North
3023 4th Street North
2619 Oliver Avenue North
~~2623 Oliver Avenue North~~
~~2655 Oliver Avenue North~~
~~2814 Oliver Avenue North~~
2131 Penn Avenue North
2430 Penn Avenue North
2622 Penn Avenue North
2636 Penn Avenue North
2700 Penn Avenue North
2717 Penn Avenue North
~~2718 Penn Avenue North~~
~~2720 Penn Avenue North~~
2721 Penn Avenue North
2733 Penn Avenue North
~~2800 Penn Avenue North~~
1426 25th Avenue North
1705 25th Avenue North
1711 25th^h Avenue North
~~2523 Logan Avenue North~~
2501 James Avenue North
~~2514 James Avenue North~~
1618 26th Avenue North
1614 26th Avenue North
1717 26th Avenue North
~~1709 26th Avenue North~~
2417 16th Avenue South
2419 16th Avenue South
2422 16th Avenue South
2424 16th Avenue South
2435 16th Avenue South
2439 16th Avenue South
~~2101 Dupont Avenue North~~
2206 James Avenue North
409 Logan Avenue North

2125 Lyndale Avenue North
2127 Lyndale Avenue North
2131 Lyndale Avenue North
2719 Oliver Avenue North
2218 Penn Avenue North
2747 Penn Avenue North
2622 Plymouth Avenue North
2747 Queen Avenue North
3112 6th Street North
1815 26th Avenue North

Additions to Existing Housing Replacement District II (23)

<u>05-029-24-14-0005</u>	<u>4143 Penn Avenue North</u>
<u>09-029-24-21-0064</u>	<u>3547 Humboldt Avenue North</u>
<u>04-029-24-13-0169</u>	<u>4130 Fremont Avenue North</u>
<u>10-029-24-32-0001</u>	<u>3035 6th Street North</u>
<u>10-029-24-32-0074</u>	<u>3016 6th Street North</u>
<u>16-029-24-24-0117</u>	<u>2034 James Avenue North</u>
<u>16-029-24-24-0116</u>	<u>2038 James Avenue North</u>
<u>09-029-24-12-0171</u>	<u>3534 Fremont Avenue North</u>
<u>16-029-24-23-0037</u>	<u>2109 James Avenue North</u>
<u>16-029-24-23-0007</u>	<u>2114 James Avenue North</u>
<u>08-029-24-44-0148</u>	<u>2611 Penn Avenue North</u>
<u>08-029-24-44-0143</u>	<u>2631 Penn Avenue North</u>
<u>08-029-24-41-0114</u>	<u>2950 Queen Avenue North</u>
<u>36-029-24-23-0016</u>	<u>1915 EM Stately Street</u>
<u>36-029-24-23-0037</u>	<u>1844 East 26th Street</u>
<u>35-029-24-41-0029</u>	<u>2600 17th Avenue South</u>
<u>03-028-24-44-0013</u>	<u>415 East 36th Street</u>
<u>03-028-24-41-0076</u>	<u>3512 Clinton Avenue South</u>
<u>10-029-24-32-0036</u>	<u>400 31st Avenue North</u>
<u>04-029-24-13-0168</u>	<u>4126 Fremont Avenue North</u>
<u>03-028-24-43-0188</u>	<u>3649 2nd Avenue South</u>
<u>08-029-24-41-0130</u>	<u>3001 Queen Avenue North</u>
<u>04-029-24-13-0167</u>	<u>4122 Fremont Avenue North</u>

Adopted 7/25/2008.

Absent – Samuels.

Comm Dev - Your Committee, having under consideration the exclusive development rights for the American Indian Community Development Corporation on six parcels at 2313 - 13th Ave S (formerly 1351 E 23rd St), 1913, 1919 and 1929 Columbus Ave S, and 726 and 730 E Franklin Ave, now recommends approval of an extension of exclusive development rights for 24 months, expiring 11/1/2009, and that the proper City officers be authorized to execute the necessary documents.

Adopted 7/25/2008.

Absent – Samuels.

Comm Dev - Your Committee, having under consideration the Standard Plymouth LLC (a/k/a Standard Heating and Air Conditioning, Inc) industrial development project planned for the northeast corner of 2nd St N and Plymouth Ave N, now recommends approval of the request by Standard Plymouth LLC for a) MILES funding assistance; and b) an extension of the current closing deadline from July 31, 2008 to September 30, 2008 for the three City-owned parcels located at the northeast corner of 2nd St N and Plymouth Ave N.

Adopted 7/25/2008.

Absent – Samuels.

Comm Dev - Your Committee, having under consideration the report of the Department of Community Planning & Economic Development (CPED) on findings and analysis of Park Dedication Fees, now recommends that said report be received and filed and that the following directions to staff be approved:

a) That the Park Dedication Fee Working Group be directed to recommend a proposed methodology for imposition of Park Dedication Fees on housing and commercial/industrial developments;

b) That the City Attorney be directed to prepare a new Park Dedication Fee ordinance in consultation with the Minneapolis Park & Recreation Board attorney for City Council consideration, that reflects this methodology.

Adopted 7/25/2008.

Absent – Samuels.

The COMMUNITY DEVELOPMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:

Comm Dev & W&M/Budget - Your Committee, having under consideration the Modification No. 9 to the Holmes Urban Renewal Plan and Modification No. 112 to the Common Development and Redevelopment and Redevelopment and Common Tax Increment Finance Plan, which expands the existing project area to include street right-of-way and 721 - 2nd St SE in the project boundary, and designates 721 - 2nd St SE as appropriate for acquisition in order to facilitate a pass-thru sale from the Minnesota Department of Transportation to Metal Matic, now recommends passage of the accompanying resolution adopting the modification to said Plans.

Adopted 7/25/2008.

Absent – Samuels.

Resolution 2008R-293, adopting Modification No 9 to the Holmes Urban Renewal Plan and Modification 112 to the Common Plans, which expands the existing project area to include street right-of-way and 721 - 2nd St SE and designates 721 - 2nd St SE as appropriate for acquisition, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-293
By Goodman and Ostrow

Adopting Modification No 9 to the Holmes Urban Renewal Plan and Modification 112 to the Common Plans.

Resolved by The City Council of The City of Minneapolis:

Section 1. Recitals

1.1 Pursuant to Laws of Minnesota 2003, Chapter 127, Article 12, Sections 31-34, and Minneapolis Code of Ordinances, Chapter 415, the City of Minneapolis (the "City") acting by and through its department of Community Planning and Economic Development ("CPED"), has been granted the authority to propose and implement city development districts, housing and redevelopment projects and tax increment financing ("TIF") districts, all pursuant to Minnesota Statutes, Sections 469.001 through 469.134, and 469.174 through 469.179, as amended, and other laws enumerated therein (collectively, the "Project Laws").

1.2 By Resolution duly adopted on November 27, 1968 and subsequent resolutions, the City approved the creation of the Holmes Urban Renewal Project and the adoption of the Holmes Urban Renewal Plan, which was further modified by eight subsequent modifications, describing more precisely the Project Area, the activities to be undertaken, the property that may be acquired, all pursuant to the Project Laws. Further, by Resolution No 89R-530 duly adopted December 15, 1989 and approved December 21, 1989, the City approved the Common Development and Redevelopment

and Common TIF Plan (the “Common Plans”). The project area established by the Holmes Urban Renewal Plan (the “Project Area”) is geographically located within the Project Area established by the Common Development and Redevelopment and Common Tax Increment Finance Plan (the “Common Project”).

1.3 It has been proposed and the City has prepared, and this Council has investigated the facts with respect to, a proposed Modification No 9 to the Holmes Urban Renewal Plan, and Modification No 112 to the Common Project (the “Modifications”), expanding the project boundary, and identifying a parcel as appropriate to be designated as a parcel that may be acquired.

1.4 The City has performed all actions required by law to be performed prior to the adoption of the Modifications, including, but not limited to, a review of the proposed Modifications by the affected neighborhood groups and the City Planning Commission, transmittal of the proposed Modifications to the Hennepin County Board of Commissioners and the School Board of Special School District No 1 for their review and comment, and the holding of a public hearing after published and mailed notice as required by law.

1.5 The Council hereby determines that it is necessary and in the best interest of the City at this time to approve the Modifications.

Section 2. Findings for the Adoption of the Modifications

2.1 The Council hereby finds, determines and declares that the action authorized by the Modifications is pursuant to and in accordance with the Project Laws.

2.2 The Council hereby finds, determines and declares that the Modifications will afford maximum opportunity, consistent with the sound needs of the City as a whole, for the development or redevelopment of the project by private enterprise, as additional public benefits will include blight removal, provision of high quality physical infrastructure and services to the needs of business, and expansion of the economic base by emphasizing business retention and expansion.

2.3 The Council hereby finds, determines and declares that the area to be added to the Holmes Urban Renewal Project (“Redevelopment Project”) qualifies as a Redevelopment Project as defined in the Minnesota Housing and Redevelopment Authorities Act (Minnesota Statutes, § 469.002, Subdivisions 14 and 16). The expanded Project Area qualifies as a “blighted area” as defined in the Minnesota Housing and Redevelopment Authorities Act (Minnesota Statutes, § 469.002, Subdivision 11).

2.4 The Council hereby finds, determines and declares that the area to be added to the Redevelopment Project contains a building used for an office, garage and garage storage. The structure shows signs of settlement over time with step cracks in the corner of the building and contains some graffiti on the exterior. The parking lot is in need of major repair with several cracks, large holes and missing blacktop. The parking lot has suffered notable deterioration from deferred maintenance. There does not appear to be a storm water retention system in place. The parking and parking lot size and access to truck routes is challenged for larger sized modern truck transports. The site contains excessive land coverage and overcrowding in that the site does not incorporate City landscaping and screening requirements.

2.5 The Council further finds, determines and declares that the Modifications conform to the general plan for the development or redevelopment of the City as a whole. Written comments of the Planning Commission with respect to the Modifications were issued, are incorporated herein by reference, and are on file in the office of the City Clerk.

2.6 The Council further finds, determines and declares that it is necessary and in the best interest of the City at this time to approve the Modifications.

Section 3. Approval of the Modifications

3.1 Based upon the findings set forth in Section 2 hereof, the Modifications presented to the Council on this date are hereby approved and shall be placed on file in the office of the City Clerk.

Section 4. Implementation of the Modifications

4.1 The officers and staff of the City, and the City’s consultants and counsel, are authorized and directed to proceed with the implementation of the Modifications, and for this purpose to negotiate, draft, prepare and present to this Council for its consideration, as appropriate, all further modifications, resolutions, documents and contracts necessary for this purpose.

Adopted 7/25/2008.

Absent – Samuels.

Comm Dev & W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing application to the Minnesota Department of Employment and Economic Development (DEED) Redevelopment Grant Program for redevelopment projects at (or known as) Bassett Creek Valley (Van White roundabout), Broadway Plaza, and Jackson Street Affordable Live-Work Housing.

Adopted 7/25/2008.

Absent – Samuels.

Resolution 2008R-294, authorizing application to the Minnesota Department of Employment and Economic Development Redevelopment Grant Program for redevelopment projects at (or known as) Bassett Creek Valley (Van White roundabout), Broadway Plaza, and Jackson Street Affordable Live-Work Housing, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-294

By Goodman and Ostrow

Authorizing application to the Minnesota Department of Employment and Economic Development [DEED] Redevelopment Grant Program for various projects.

Whereas, the City of Minneapolis intends to act as the legal sponsor for one or more of the following projects that are more completely described in the Redevelopment Grant applications to be submitted to the Minnesota Department of Employment and Economic Development (DEED) on August 1, 2008: Bassett Creek Valley (Van White Roundabout), Broadway Plaza and Jackson Street Affordable Live-Work Housing; and

Whereas, the City has the legal authority to apply for financial assistance, and the institutional, managerial and financial capacity to ensure adequate project administration; and

Whereas, the sources and amounts of the local match identified in the applications are committed to the identified projects; and

Whereas, the City has not violated any Federal, State or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice; and

Whereas, upon approval of one or more of its applications, the City may enter into agreements with the State of Minnesota for one or more of the above-referenced projects and will comply with all applicable laws and regulations as stated in such agreements;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Council authorizes the Director or Deputy of the Department of Community Planning and Economic Development to apply to the Minnesota Department of Economic Development for Redevelopment Program grant funding for one or more of the above-referenced projects, and that the City's Finance Officer, Contracts Administrator or Purchasing Agent and/or other duly authorized City staff are hereby authorized to execute such agreements as are necessary to implement the projects.

Adopted 7/25/2008.

Absent – Samuels.

Comm Dev & W&M/Budget - Your Committee recommends acceptance of the low bid submitted to the Departments of Community Planning & Economic Development and Procurement on OP No. 6979 from Tobins Lake Sales, in the amount of \$52,000, to furnish and deliver all labor, materials, equipment, and incidentals necessary to complete drapery replacement at the Minneapolis Target Center.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for this project, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 7/25/2008.

Absent – Samuels.

Comm Dev & W&M/Budget - Your Committee recommends acceptance of the responsive bid submitted to the Departments of Community Planning & Economic Development and Procurement on OP No. 6988 from Chicago Flyhouse, Inc, in the amount of \$925,988.92, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the acoustic improvements at the Minneapolis Target Center.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for this project, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 7/25/2008.

Absent – Samuels.

Approved by Mayor Rybak 7/28/2008.

(Published 7/29/2008)

Comm Dev & W&M/Budget - Your Committee, having under consideration an amendment to the terms of the land exchange with the Minneapolis Park and Recreation Board of properties at 1610, 1622 and 1700 49th Ave N (Shingle Creek Properties) for Park Board properties at 901 - 45th Ave N, 4959 Knox Ave N, 5201 Oliver Ave N and 5200 Penn Ave N, now recommends:

a) Approval of the amendment, as described in the Department of Community Planning & Economic Development staff report;

b) Approval of the deposit of all land proceeds from the resale of the Park Board properties into the Vacant Housing Recycling Program Fund;

c) Passage of the accompanying resolution increasing the appropriation and revenue budget in the Department of Community Planning and Economic Development by \$400,000 related to the Grain Belt land sale.

Adopted 7/25/2008.

Absent – Samuels.

RESOLUTION 2008R-295

By Goodman and Ostrow

Amending the 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Department of Community Planning and Economic Development (CPED) Capital Projects - Other Fund (01CPO-8900220) by \$400,000, and increasing CPED Capital Projects - Other Fund revenue source (01CPO-8900900-348501) by \$400,000.

Adopted 7/25/2008.

Absent – Samuels.

Comm Dev & W&M/Budget – Your Committee, having under consideration receipt of a Metropolitan Council Livable Communities Local Housing Incentives Account (LHIA) grant of \$150,000 for City of Lakes Community Land Trust Affordability Initiative, now recommends that the proper City officers be authorized to accept and appropriate said award, and to execute such agreements as may be necessary to implement the LHIA grant with the Metropolitan Council and the City of Lakes Community Land Trust (or affiliated entity) consistent with the terms and conditions described in the Department of Community Planning & Economic Development (CPED) staff report.

Your Committee further recommends passage of the accompanying resolution increasing the CPED appropriation by \$150,000 to reflect the receipt of said grant funds.

Adopted 7/25/2008.

Absent – Samuels.

July 25, 2008

RESOLUTION 2008R-296
By Goodman and Ostrow

Amending the 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution, as amended, be further amended by increasing the appropriation in the Department of Community Planning and Economic Development (CPED) Grants Other Fund (01600-8900230) by \$150,000, and increasing CPED Grants Other revenue source (01600-8900900-321513) by \$150,000.

Adopted 7/25/2008.

Absent – Samuels.

Comm Dev & W&M/Budget - Your Committee recommends approval of funding from the City's 2008 Department of Housing & Urban Development (HUD) Housing Opportunities for Persons with Aids (HOPWA) grant to Metropolitan Council Housing and Redevelopment Authority for \$416,010 and to the Minnesota Aids Project for \$392,000, and that the proper City officers be authorized to execute agreements as necessary to implement all subrecipient and subgrantee contracts, including Spectrum, related to this 2008 HOPWA grant.

Adopted 7/25/2008.

Absent – Samuels.

Comm Dev & W&M/Budget - Your Committee, having under consideration a report regarding the purchase option for the Downtown East Parking Ramp, now recommends approval of an amendment to the purchase agreement between the City and Alatus Management LLC to a) allow for the possibility of two one-year extensions of the option to purchase rights between Alatus Management LLC and the Vikings/MVZ Ventures LLC or an approved affiliate thereof ("Vikings") and the Metropolitan Sports Facilities Commission ("MSFC"); and b) require that Alatus make an \$84,000 payment to the City for each additional option year provided to the Vikings or the MSFC, representing estimated forgone property taxes as a result of the delay in development on the ramp site.

Adopted 7/25/2008.

Absent – Samuels.

Approved by Mayor Rybak 7/28/2008.

(Published 7/29/2008)

The HEALTH, ENERGY & ENVIRONMENT Committee submitted the following reports:

HE&E – Your Committee recommends passage of the accompanying resolution amending Resolution 2006R-571 entitled "Recognizing Youth Violence as a Public Health Problem and Establishing a Youth Violence Prevention Steering Committee" to include the establishment of a Youth Violence Prevention Plan Executive Committee and a Youth Violence Prevention Citizen Advisory Committee for oversight of the implementation stage of the Youth Violence Prevention Blueprint for Action.

Adopted 7/25/2008.

Absent – Samuels.

Resolution 2008R-297, amending Resolution 2006R-571 entitled "Recognizing Youth Violence as a Public Health Problem and Establishing a Youth Violence Prevention Steering Committee", passed November 17, 2006, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-297

By Gordon

Amending Resolution No. 2006R-571 entitled “Recognizing Youth Violence as a Public Health Problem and Establishing a Youth Violence Prevention Steering Committee”, passed November 17, 2006.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution be amended by adding the following Resolved Clauses:

That the Mayor and the City Council establish a Youth Violence Prevention Plan Executive Committee and a Youth Violence Prevention Citizen Advisory Committee

That the Mayor nominates and the City Council approves up to 17 members, for one year terms. Membership will include representatives from the following communities/sectors: Financial/Business, Health Care, Academic, Minneapolis Public Schools, Minneapolis Park and Recreation Board, Law Enforcement, Foundation Community, Faith Communities, Community Organizer, Elected Officials, and Students. In addition, the Minneapolis Public Health Advisory Committee will assign a liaison to the Executive Committee. The Executive Committee will:

Oversee the general implementation of the Youth Violence Prevention Blueprint for Action.

Provide advice and recommendations on high level strategic and policy issues including the objectives and priorities of the Blueprint for Action.

Serve as a decision making body on recommendations offered by Policy Committees and the Citizen Advisory Committee.

Review the need for and recommend the establish of specialized work groups.

Develop strategic partnerships and leverage resources to achieve the goals of the Blueprint for Action.

Promote and engage a cross section of community stakeholders in the implementation of the plan.

That Policy Committees continue the efforts of the former workgroups and serve as the driving forces behind community organizing and implementation of the recommendations.

That a Community Advisory Committee (CAC) be created to be open to the general public and act in an advisory capacity on the implementation of the Blueprint by providing input and feedback. The CAC will:

Advise the YVP Executive Committee.

Provide Collective input on all aspects of the implementation of the Blueprint for Action.

Gain public input and support.

Serve as a special communication link with the community/neighborhood they reside in.

Participate with and contribute to the work of the Policy committees and the Executive Committee.

Adopted 7/25/2008.

Absent – Samuels.

HE&E – Your Committee recommends that the proper City officers be authorized to submit to the Minnesota Department of Health the final components of the Community Health Assessment and Action Plans (CHAAP), in accordance with State Statutes.

Adopted 7/25/2008.

Absent – Samuels.

The HEALTH, ENERGY & ENVIRONMENT and WAYS & MEANS/BUDGET Committees submitted the following reports:

HE&E & W&M/Budget – Your Committee recommends that the City Council, acting as the Minneapolis Board of Health in its capacity as a Community Health Board, authorizes the proper City officers to execute a five-year Master Grant Contract with the State of Minnesota through its Minnesota Department of Health for the period January 1, 2009 through December 31, 2013. Individual projects and funding will be issued under the Master Grant Contract through Project Agreements.

Your Committee further recommends that the City Council, acting as the Minneapolis Board of Health in its capacity as a Community Health Board, authorizes the Commissioner of Health to sign the individual Project Agreements as the Community Health Services Administrator for the City.

Adopted 7/25/2008.

Absent – Samuels.

HE&E & W&M/Budget – Your Committee, having accepted a grant award in March 2008 from the Minnesota Department of Health to provide temporary lead safe housing to low income families who are displaced from their homes during lead hazard reduction activities, now recommends that the proper City officers be authorized to accept an additional grant award of \$15,000 for fiscal year 2008-2009. Further, passage of the accompanying resolution appropriating \$15,000 to the Department of Regulatory Services.

Adopted 7/25/2008.

Absent – Samuels.

RESOLUTION 2008R-298
By Benson and Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the appropriation for the Regulatory Services Agency in the Grants - Other Fund (01600-8350300-321507) by \$15,000.

Adopted 7/25/2008.

Absent – Samuels.

The PUBLIC SAFETY & REGULATORY SERVICES Committee submitted the following reports:

PS&RS – Your Committee, having under consideration the Mayor's nomination and approval by the Executive Committee of the appointment of Alex Jackson to serve as Fire Chief for a term to expire January 4, 2010, and having held a public hearing thereon, now recommends approval of said appointment.

Adopted 7/25/2008.

Absent – Samuels.

Alex Jackson was granted the privilege of the floor for the purpose of thanking the City Council for his appointment to serve as Fire Chief.

PS&RS - Your Committee, to whom was referred an ordinance amending Title 13, Chapter 281 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Tobacco Dealers*, adding a new Section 281.85 establishing location restrictions, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 7/25/2008.

Absent – Samuels.

Ordinance 2008-Or-052 amending Title 13, Chapter 281 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: Tobacco Dealers*, adding a new Section 281.85 establishing location restrictions, was adopted 7/25/2008 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2008-Or-052
By Johnson
Intro & 1st Reading: 6/20/2008
Ref to: PS&RS
2nd Reading: 7/25/2008

Amending Title 13, Chapter 281 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: Tobacco Dealers.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 281 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 281.85 to read as follows:

281.85. Location Restrictions. No Tobacco Dealers license shall be issued or granted for any use established in the C-1 zoning district after July 25, 2008.

Adopted 7/25/2008.

Absent – Samuels.

PS&RS – Your Committee, to whom was referred an ordinance amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: In General*, adding additional business license categories that may be administratively approved by the Director of Licenses & Consumer Services, now recommends that said ordinance be given its second reading for amendment and passage.

Adopted 7/25/2008.

Absent – Samuels.

Ordinance 2008-Or-053 amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to *Licenses and Business Regulations: In General*, adding additional business license categories that may be administratively approved by the Director of Licenses & Consumer Services, was adopted 7/25/2008 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2008-Or-053
By Gordon
Intro & 1st Reading: 6/6/2008
Ref to: PS&RS
2nd Reading: 7/25/2008

Amending Title 13, Chapter 259 of the Minneapolis Code of Ordinances relating to Licenses and Business Regulations: In General.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 259.30 of the above-entitled ordinance be amended to read as follows:

259.30. Applications for licenses; issuance of licenses. (a) All applications for licenses and license permits shall be made to the director of licenses and consumer services, and in all cases where the issuance of a license or license permit is required to be authorized and directed by the city council, the application for such license or license permit shall be forthwith presented by the director to the council for its consideration. License applications by the same applicant shall be made at the same time unless a new license is applied for.

(b) Director approved licenses means those licenses which can be approved and issued by the director of licenses and consumer services, subject to the procedures required by these chapters. The

following licenses can be approved and issued or denied by the director, or the director may refer the application to the city council for approval or denial. The number following the license refers to the chapter section pertaining to each license.

TABLE INSET:

Antique Dealer - Class A and B	Chapter 321
<u>Auction</u>	<u>Chapter 271</u>
Billboard Erector	Chapter 277
<u>Bowling Alley</u>	<u>Chapter 267</u>
Bulk Gas and Oil Storage	Chapter 287
<u>Children's Rides</u>	<u>Chapter 267</u>
Christmas Trees Dealer	Chapter 279
<u>Circus</u>	<u>Chapter 267</u>
Cottage Cheese Distributor	Chapter 200
Courtesy Bench	Chapter 283
<u>Dancing School</u>	<u>Chapter 285</u>
Dry Cleaner - Flammable, Non-Flammable, Pick-up Station, Dry Cleaning Plant Laundry	Chapter 301
<u>Exhibition Exhibitor</u>	<u>Chapter 321</u>
<u>Exhibition Operator Class A, B, and C</u>	<u>Chapter 231</u>
Farm Produce Permit	Chapter 265
<u>Farm Produce Permit – Non Profit</u>	<u>Chapter 265</u>
Fire Extinguisher Servicing - Class A and B	Chapter 289
Flower Cart Vendor	Chapter 331
<u>Food – Confectionery</u>	<u>Chapter 188</u>
Food - Boarding House	Chapter 188
Food – Caterer	Chapter 188
Food - Distributor - Out of Town	Chapter 188
Food – Distributor	Chapter 188
Food - Indoor Food Cart Vendor	Chapter 188
<u>Food - Grocery</u>	<u>Chapter 188</u>
Food – Kiosk	Chapter 188
Food – Manufacturer	Chapter 188
<u>Food – Market Distributor</u>	<u>Chapter 201</u>
Food - Meat Market	Chapter 190
Food - Mobile Food Vendor	Chapter 188
<u>Food – Municipal Market</u>	<u>Chapter 202</u>
<u>Food – Public Market</u>	<u>Chapter 201</u>
Food – Restaurant	Chapter 188
Food - Sidewalk Cart Food Vendor	Chapter 188
Food - Soft Drink Manufacturing and Storage	Chapter 198
Food - Soft Drink	Chapter 188
Food Shelf	Chapter 188
<u>Food – Short Term Food Permit</u>	<u>Chapter 188</u>
<u>Food – Vending Machine</u>	<u>Chapter 188</u>
Fuel Dealer - cash and carry only	Chapter 291
Gas Fitter - Class A and B	Chapter 278
Heating, Ventilation and Air Conditioning Installers, Class A and B	Chapter 278
Hoofed and/or Small Animal Service	Chapter 304
Horse and Carriage Livery Service	Chapter 303
Hospital	Chapter 296
<u>Hotel – Motel</u>	<u>Chapter 297</u>
Ice Peddler	Chapter 299
Ice Producer - Dealer, Wholesale	Chapter 299

Juke Box – Musical	Chapter 267
<u>Laundry</u>	<u>Chapter 301</u>
Liquid Waster Hauler	Chapter 225
Mechanical Amusement Device	Chapter 267
Mechanical Amusement Places	Chapter 267
Milk & Grocery Delivery	Chapter 200
Milk Delivery Vehicle	Chapter 200
Milk Pasteurization Plant	Chapter 200
Milk Receiving Station	Chapter 200
Mobile Food - Prepackaged Perishable Food	Chapter 188
Motor Vehicle Immobilization Service	Chapter 320
Motor Vehicle Servicing – Towing	Chapter 349
Oil Burner Installer	Chapter 278
Pedicab	Chapter 305
Pet Shop and Mobile Pet Shop	Chapter 68
Plumber	Chapter 278
Refrigeration Systems Installer	Chapter 278
Residential Specialty Contractor	Chapter 277
Shooting Gallery	Chapter 267
Sign Hangers	Chapter 277
<u>Solicitor – Company and Individual</u>	<u>Chapter 333</u>
Solid Waste Hauler	Chapter 225
Steam and Hot Water Installer	Chapter 278
Sun Tanning Facility	Chapter 232
Swimming Pools – Public	Chapter 231
Tattooist or Piercer	Chapter 339
Taxicab – Driver	Chapter 341
Taxicab – Limited	Chapter 341
Taxicab – Vehicle	Chapter 341
<u>Theater</u>	<u>Chapter 267</u>
<u>Tobacco Dealer</u>	<u>Chapter 281</u>
<u>Transient Merchant</u>	<u>Chapter 343</u>
Tree Servicing	Chapter 347
<u>Valet Parking</u>	<u>Chapter 307</u>
Wholesale Sausage Manufacturer and/or Distributor	Chapter 190
Wrecker of Buildings - Class A and B	Chapter 277

(c) In the event that the director of licenses and consumer services denies the license application for a director approved license, the application for the license shall be presented by the director to the council for its consideration. The city council shall have the final authority to issue or deny a license which had been denied by the director.

Adopted 7/25/2008.

Absent – Samuels.

PS&RS - Your Committee, having under consideration the application of Oven Door Eatery LLC, dba Citizen Cafe, 2403 E 38th St, for an On-Sale Wine Class E with Strong Beer License (new business) to expire April 1, 2009, now recommends that said license be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/25/2008.

Absent – Samuels.

Approved by Mayor Rybak 7/28/2008.

(Published 7/29/2008)

July 25, 2008

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Hotel Minneapolis, 401 2nd Av S, for an On-Sale Liquor Class A with Sunday Sales License, subject to conditions.

Adopted 7/25/2008.

Absent – Samuels.

Resolution 2008R-299, granting the application of Hotel Minneapolis, 401 2nd Av S, for an On-Sale Liquor Class A with Sunday Sales License, subject to conditions, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-299

By Samuels

Granting the application of Hotel Minneapolis, 401 2nd Av S, for an On-Sale Liquor Class A with Sunday Sales License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Hotel Minneapolis Operating Company LLC, dba Hotel Minneapolis, 401 2nd Av S, for an On-Sale Liquor Class A with Sunday Sales License (new business), to expire July 1, 2008; subject to the following conditions:

1. The establishment may not operate as a sexually oriented use as is defined in Chapter 549.340 of the Minneapolis Code of Ordinances.

2. The applicant will not allow any activities to occur on its premises which include or involve nude or semi-nude dancing, revealing or inappropriate employee attire, mud wrestling, wet T-shirt contests, employee wrestling with customers or sexually suggestive touching, and other similar types of activities.

3. Violation of the terms of Conditions 1 and 2 above shall provide a basis for revocation of the City's consent for the applicant to operate the Class A Liquor License.

4. All parties hereto agree that this agreement is specifically enforceable and that in any litigation involving this agreement no defense will be raised as to its enforceability.

5. Final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/25/2008.

Absent – Samuels.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of J J Grocery, 3201 Cedar Av, for Grocery and Tobacco Dealer Licenses, subject to conditions.

Adopted 7/25/2008.

Absent – Samuels.

Resolution 2008R-300, granting the application of J J Grocery, 3201 Cedar Av, for Grocery and Tobacco Dealer Licenses, subject to conditions, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-300

By Samuels

Granting the application of J J Grocery, 3201 Cedar Av, for Grocery and Tobacco Dealer Licenses, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Guled Safiya, dba J J Grocery, 3201 Cedar Av, for Grocery and Tobacco Dealer Licenses (new proprietor) to expire April 1, 2009, subject to the following conditions:

1. "No Trespassing" signs will remain clearly posted on the exterior of the business and parking area. Grocery store staff will immediately ask people that are observed loitering in the immediate vicinity of the store to leave. If the loitering activity persists, staff will call 911 and request police assistance to alleviate the loitering activity. The business agrees to cooperate fully in the prosecution of criminal activity.

2. The business will have a minimum of two staff employees working from 3:00 p.m. until the close of business each day to ensure monitoring of the exterior and to reduce negative behaviors.

3. The business agrees not to sell single cigars or single cigarettes.

4. The business agrees not to sell items which are commonly used by drug users and drug dealers. These items include glass pipes (sometimes with roses inside), Brillo Pads or Chore Boy products, tobacco pipes, small zip lock bags also known as jewelry bags, postal scales, dice and single use tobacco products to include rolling papers. The business will also agree not to supply matches to non-tobacco customers.

5. The business agrees to keep all exterior and interior lights illuminated and functioning properly.

6. All windows will be free of signs and other items that block the view in and out, as is specified in Section 543.350 of the Minneapolis Code of Ordinances.

7. The owner shall comply with the Surveillance Camera Ordinance.

8. The owner agrees not to install temporary advertising banners or signs on the exterior of the premises, including the fences, walls or other fixtures of the property.

9. The business agrees to clean the property, and all areas within 100 feet of the property line of litter and trash twice daily. The business shall maintain a litter receptacle in front of the business that is convenient for customer use.

10. Refuse shall be stored in a regularly serviced, closed container (dumpster) that shall be screened from view as is required by Minneapolis Codes. At no time shall this refuse container be overfilled so that the cover cannot be completely closed at all times.

11. The business will have maximum operating hours as follows: Sunday through Thursday, 7:00 a.m. to 10:00 p.m.; Friday and Saturday, 7:00 a.m. to 11:00 p.m.

12. The business will stock a variety of common staple food items such as milk, bread, canned and frozen vegetables, soups, fruit juice and cereals, etc. Food items shall be removed from stock when the printed shelf life date has expired.

13. The business agrees to install grass/landscaping in the areas where dirt is now located by September 15, 2008.

14. The business agrees to repair the fence surrounding the parking area by September 15, 2008.

15. The business agrees to restripe the parking spaces in the parking lot by September 15, 2008. The business also will not allow persons to park in the parking lot unless they are patronizing the business within the shopping mall. MPD will be contacted if the person(s) refuse to leave the parking lot upon request.

16. Remove all tobacco products that do not comply with Minnesota Statutes concerning tax stamps.

17. final inspection and compliance with all provisions of applicable codes and ordinances.

Adopted 7/25/2008.

Absent – Samuels.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of U Garden Restaurant, 2725 University Av SE, for an On-Sale Liquor Class A with Sunday Sales License, subject to conditions.

Lilligren moved that the report be deleted. Seconded.

Adopted upon a voice vote 7/25/2008.

Absent – Samuels.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Conga Latin Bistro, 501 E Hennepin Av, for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions.

Lilligren moved that the report be deleted. Seconded.

Adopted upon a voice vote 7/25/2008.

Absent – Samuels.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Las Majarras Restaurant Bar, 1507 E Lake St, for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions.

Adopted 7/25/2008.

Absent – Samuels.

Resolution 2008R-301, granting the application of Las Majarras Restaurant Bar, 1507 E Lake St, for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-301

By Samuels

Granting the application of Las Majarras Restaurant Bar, 1507 E Lake St, for an On-Sale Liquor Class B with Sunday Sales License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by Lala & Reyes LLC, dba Las Majarras Restaurant Bar, 1507 E Lake St, for an On-Sale Liquor Class B with Sunday Sales License (new business) to expire July 1, 2009, subject to the following conditions:

1. The restaurant must be open to the public at all times. A full food menu shall be available during all hours of operation.

2. Las Mojarres will not conduct their business in any manner so as to appear to be a nightclub, including but not limited to the following:

a. No ticket sales or cover charge at the door.

b. When an event is scheduled in conjunction with the operation of their restaurant, only guests that are invited to the event/party/celebration are allowed in the common area.

c. La Mojarres will not contract with promoters or allow promoters to conduct events at the restaurant.

d. Event posters/fliers cannot be hung or distributed to promote an event at the restaurant.

3. Two security guards shall be on duty during all events/parties/celebrations in the commons area. At least one guard will monitor the parking lots from 10:00 p.m. to the last vehicle leaving the parking lots to encourage quiet and prevent criminal activity. The security guards will be instructed to call 911 for assistance whenever criminal activity is in progress.

4. Minneapolis Ordinance 360.95 requires businesses to remove any litter and debris within 100 feet of such premise lot lines daily.

5. Lala & Reyes, LLC shall apply to the Secretary of State's Office to remove the word "Bar" from the dba. This shall be done by August 31, 2008. The business agrees that they will not advertise the word "bar" in any manner.

6. Las Mojarres shall cooperate with the neighborhood's application and petition for a critical parking area. Los Mojarres shall pay the annual costs of the critical parking permits for the residents between Lake and 31st on 15th Avenue South.

7. Las Mojarres shall endeavor to provide adequate off-street parking for their patrons, including but not limited to the informal agreements currently in place.

8. Events/parties/celebrations will only take place in the commons areas of the restaurant. The commons area is marked on the business plan presented with their liquor license application.
 9. final inspection and compliance with all provisions of applicable codes and ordinances.
- Adopted 7/25/2008.
Absent – Samuels.

PS&RS - Your Committee recommends passage of the accompanying resolution granting the application of Chambers Hotel, 901 Hennepin Av, for a Valet License, subject to conditions.
Adopted 7/25/2008.
Absent – Samuels.

Resolution 2008R-302, granting the application of Chambers Hotel, 901 Hennepin Av, for a Valet License, subject to conditions, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-302
By Samuels

Granting the application of Chambers Hotel, 901 Hennepin Av, for a Valet License, subject to conditions.

Resolved by The City Council of The City of Minneapolis:

That it grants the application submitted by RWB Development LLC, dba Chambers Hotel, 901 Hennepin Av, for a Valet License, subject to the following conditions:

1. The licensee shall comply with all applicable regulations, laws and ordinances governing its valet parking license, and shall comply with all conditions contained herein.
 2. The licensee shall not utilize any of the public alleyways abutting the premises for the parking or staging of any vehicles and may only utilize alleyways as a thoroughfare for vehicles as permitted by law and previous license or zoning approval. Provided, however, that nothing in these business license operating conditions shall affect rights under the City of Minneapolis Guide to Parking for Commercial Trucks/Commercial Vehicles, including but not limited to the right of Commercial Trucks to park up to 30 minutes in public alleyways while in the process of loading or unloading commodities.
 3. The licensee shall provide adequate staffing levels, or when circumstances warrant, shall temporarily refuse valet customers in order to insure that valeted vehicles are not parked in the valet zone over 15 minutes, to insure pedestrian and vehicular safety, and to assure that vehicles are not parked or staged in public alleyways for any amount of time.
 4. Hotel staff shall comply with Section 478.830 of the Minneapolis Code of Ordinances governing the use of passenger loading zones which states that such a zone shall be used for the expeditious loading or unloading of passengers for a period not to exceed three (3) minutes. Nothing in this condition shall prohibit the licensee from applying to Traffic and Parking Services for a fee-based parking/loading zone in which the operational time constraints of the zone can be modified.
 5. The licensee and all staff of the licensee shall at all times cooperate with City Licensing, Traffic Control and Police officials and shall promptly and fully comply with all legitimate orders and requests from such officials.
 6. The licensee shall first direct any questions or concerns with the operation of its licensed valet service to the license inspector assigned to its premises.
 7. Final inspection and compliance with all provisions of applicable codes and ordinances.
- Adopted 7/25/2008.
Absent – Samuels.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Liquor, Wine and Beer Licenses.

Adopted 7/25/2008.

Absent – Samuels.

Resolution 2008R-303, granting applications for Liquor, Wine and Beer Licenses, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-303

By Samuels

Granting Liquor, Wine and Beer Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for liquor, wine and beer licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petr No 272912):

Off-Sale Liquor, to expire April 1, 2009

Mickys Liquor Store Inc, dba Mickys Liquor Store, 1104 Plymouth Av N

On-Sale Liquor Class A with Sunday Sales, to expire January 1, 2009

422 Hennepin Inc, dba Brass Rail, 422 Hennepin Av (Pride Weekend, June 27, 2008, 4:00 p.m. to 2:00 a.m.; June 28, 2008, Noon to 2:00 a.m.; June 29, 2008, 9:00 a.m. to 2:00 a.m.)

On-Sale Liquor Class A with Sunday Sales, to expire September 3, 2008

Fine Line Music Ventures Inc, dba Fine Line Music Cafe, 318 1st Av N (temporary expansion of premises, September 1 – 3, 2008, 8:00 p.m. to close)

On-Sale Liquor Class B with Sunday Sales, to expire July 27, 2008

Fourth Street Saloon Inc, dba Fourth Street Saloon, 328 W Broadway Av (temporary expansion of premises July 26 & 27, 2008, Noon to 9:00 p.m.)

On-Sale Liquor Class B with Sunday Sales, to expire August 31, 2008

Fourth Street Saloon Inc, dba Fourth Street Saloon, 328 W Broadway Av (temporary expansion of premises, August 30 & 31, 2008, Noon to Midnight)

On-Sale Liquor Class B with Sunday Sales, to expire July 27, 2008

Joint/Caboose Operations LLC, dba Joint/Cabooze, 913 Cedar Av, 1st floor (temporary expansion of premises, July 27, 2008, 10:00 a.m. to 10:30 p.m., Hogfeed Bike Show)

On-Sale Liquor Class B with Sunday Sales, to expire July 1, 2009

Scott Free Enterprises LLC, dba Fatso's, 119 4th St N

Hard Rock Cafe International (USA) Inc, dba Hard Rock Cafe, 600 Hennepin Av, #100

On-Sale Liquor Class C-1 with Sunday Sales, to expire July 1, 2009

Sterbs Development LLC, dba Stub & Herbs, 801 Washington Av SE

On-Sale Liquor Class E with Sunday Sales, to expire August 5, 2008

Ala Salsa Enterprises LLC, dba Ala Salsa Restaurant, 920 E Lake St #155

On-Sale Liquor Class E with Sunday Sales, to expire July 1, 2009

Atlas Restaurants LLC, dba Atlas Restaurant, 200 S 6th St, 1st floor

Taste of Thailand of Minneapolis Inc, dba Taste of Thailand, 11 S 7th St

Woman's Club of Minneapolis, dba Woman's Club of Minneapolis, 410 Oak Grove St

510 Groveland Assoc, Minnesota Cooperative, dba La Belle Vie, 510 Groveland Av

FCA Restaurant Company LLC, dba Martini Blu, 615 2nd Av S

Temporary On-Sale Liquor

Northern Clay Center, dba Northern Clay Center, 2424 E Franklin Av

(September 5, 2008, 5:00 to 10:00 p.m. at 2424 E Franklin Av; Licensed facilitator: Bev's Wine Bar)

On-Sale Wine Class E with Strong Beer, to expire August 9, 2008

Pizza Luce II Inc, dba Pizza Luce, 3200 Lyndale Av S (temporary expansion of premises, August 9, 2008, 10:00 a.m. to 10:00 p.m.)

Azuki Restaurant Inc, dba Azuki Sushi, 307 Oak St SE (new business)

Temporary On-Sale Beer

Sons of Norway, 1455 W Lake St (August 1, 2008, Noon to 9:30 p.m.;
August 2, 2008, 10:00 a.m. to 9:30 p.m.; August 3, 2008, 10:00 a.m. to 6:00 p.m.)
St. Anthony of Padua Church, 804 2nd St NE (Polka Daze, August 3, 2008, Noon to 5:00 p.m.)
Church of St. Anne/St. Joseph Hien, dba Annual Church Festival,
2627 Queen Av N (August 22 – 24, 2008, 9:00 a.m. to 4:00 p.m.)
Church of the Holy Name, dba Church of the Holy Name, 3637 11th Av S (October 12, 2008, Noon
to 4:00 p.m.).
Adopted 7/25/2008.
Absent – Samuels.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Business Licenses.

Adopted 7/25/2008.
Absent – Samuels.

Resolution 2008R-304, granting applications for Business Licenses, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-304
By Samuels

Granting applications for Business Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for business licenses (including provisional licenses) as per list on file and of record in the Office of the City Clerk under date of July 25, 2008 be granted, subject to final inspection and compliance with all provisions of the applicable codes and ordinances (Petn No 272912):

Bowling Alley; Dance Hall; Dancing School; Dry Cleaning & Laundry Pickup Station; Place of Entertainment; Caterers; Confectionery; Grocery; Ice Producer – Dealer/Wholesale; Food Manufacturer; Restaurant; Food Shelf; Short Term Food Permit; Seasonal Short Term Food; Sidewalk Cafe; Vending Machine; Gasoline Filling Station; Motor Vehicle Dealer – Cycles & Motorbikes; Motor Vehicle Dealer – New & Used; Motor Vehicle Dealer – Used Only; Motor Vehicle Dealer – Additional Lot; Motor Vehicle Used Parts Dealer; Precious Metal Dealer; Recycling/Salvage Yard; Resin Manufacturer; Secondhand Goods Class A; Secondhand Goods Class B; Antique Dealer Class B; Antique Mall Operator Class B; Solicitor – Individual; Swimming Pool – Public; Tattooist/Body Piercer Establishment; Taxicab Service Company; Taxicab Vehicle; Theater Zone I; Tobacco Dealer; Tree Servicing; Valet Parking.

Adopted 7/25/2008.
Absent – Samuels.

PS&RS - Your Committee recommends passage of the accompanying resolution granting applications for Gambling Licenses.

Adopted 7/25/2008.
Absent – Samuels.

Resolution 2008R-305, granting applications for Gambling Licenses, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-305
By Samuels

Granting applications for Gambling Licenses.

Resolved by The City Council of The City of Minneapolis:

That the following applications for gambling licenses be granted, subject to final inspection and compliance with all provisions of applicable codes and ordinances (Petr No 272912):

Gambling Exempt

Tru Breed Motorcycle Club, dba Tru Breed Motorcycle Club, PO Box 17202, St. Paul (Raffle July 13, 2008 at First Avenue, 701 1st Av N

Church of St. Austin, dba Church of St. Austin, 4050 Upton Av N (Raffle July 19, 2008)

Church of St. Anthony of Padua, dba Church of St. Anthony of Padua, 804 2nd St NE (Bingo, Raffle, Paddlewheel, Pulltabs, Tipboards August 3, 2008 on Parish Grounds)

Church of St. Austin, dba Church of St. Austin, 4050 Upton Av N (Bingo, Raffle, Paddlewheel, Pulltabs, Tipboards September 27 & 28, 2008)

Church of The Holy Name, dba Church of The Holy Name, 3637 11th Av S (Bingo, Raffle, Pulltabs October 12, 2008 at Risen Christ School, 3637 11th Av S)

Woman's Club of Minneapolis, dba Woman's Club of Minneapolis, 410 Oak Grove St (Raffle November 29, 2008).

Adopted 7/25/2008.

Absent – Samuels.

PS&RS – Your Committee recommends passage of the accompanying resolution adopting police policies regarding public assemblies.

Gordon moved that Items 26 and 27 of the resolution be amended to read as follows:

"26. In concurrence with MPD policies, and state law, and city ordinance and constitutional law, MPD officers will not use pepper spray, tear gas, or similar substances, or projectiles except in situations where the use of such force is reasonable.

27. That MPD officers shall not confiscate, destroy or tamper with cameras or other recording devices being used to document public assembly activities or MPD enforcement actions. ~~This~~ The restriction on confiscation shall not apply to situations in which a) cameras or recording devices are to be used as evidence subject to First and Fourth Amendment constitutional protections, or b) MPD officers arrest an individual in possession of cameras or recording devices." Seconded.

Ostrow moved to amend Item 27 of Gordon's motion by adding the language "In concurrence with MPD policies" to the beginning of the sentence, to read as follows:

27. In concurrence with MPD policies, ~~That~~ MPD officers shall not confiscate, destroy or tamper with cameras or other recording devices being used to document public assembly activities or MPD enforcement actions. ~~This~~ The restriction on confiscation shall not apply to situations in which a) cameras or recording devices are to be used as evidence subject to First and Fourth Amendment constitutional protections, or b) MPD officers arrest an individual in possession of cameras or recording devices." Seconded.

Adopted upon a voice vote.

Absent – Samuels.

Gordon's motion, as amended, was adopted upon a voice vote.

Absent – Samuels.

Gordon moved to amend the resolution by adding a new Item 28, to read as follows:

"28. That rubber or plastic bullets or rubber-coated or plastic-coated bullets fired from conventional firearms shall not be used." Seconded.

Hodges moved to amend Gordon's motion by adding the language "In concurrence with MPD policies" to the beginning of the sentence, to read as follows:

"28. In concurrence with MPD policies, ~~That~~ rubber or plastic bullets or rubber-coated or plastic-coated bullets fired from conventional firearms shall not be used." Seconded.

Adopted upon a voice vote.

Absent – Samuels.

Gordon's motion, as amended, was adopted upon a voice vote.

Absent – Samuels.

Gordon moved to amend the resolution by adding a new Item 29, to read as follows:

"29. That MPD officers will not compile political dossiers or subject law abiding demonstration organizers to disparate enforcement actions. MPD officers will not target law abiding persons not engaged in demonstrating, including journalists, camera people, and legal observers, for enforcement actions." Seconded.

Glidden moved to amend Gordon's motion by deleting the language "compile political dossiers or" in the first sentence, to read as follows:

"29. That MPD officers will not ~~compile political dossiers or~~ subject law abiding demonstration organizers to disparate enforcement actions. MPD officers will not target law abiding persons not engaged in demonstrating, including journalists, camera people, and legal observers, for enforcement actions." Seconded.

Adopted upon a voice vote.

Absent – Samuels.

Ostrow moved to amend Gordon's motion by adding the word "politically" in the second sentence, to read as follows:

"MPD officers will not politically target law abiding persons not engaged in demonstrating, including journalists, camera people, and legal observers, for enforcement actions." Seconded.

Lost upon a voice vote.

Absent – Samuels.

Gordon's motion, as amended, was adopted upon a voice vote.

Absent – Samuels.

Ostrow moved to amend the "Whereas" clause to read as follows:

"Whereas, the Council has confidence in the planning, training and command structure in place for responding to and handling public assemblies by the Minneapolis Police Department, and commends the Department for its ongoing efforts to protect First Amendment freedoms during political demonstrations but wishes to clearly enunciate police policies for such assemblies;" Seconded.

Adopted upon a voice vote.

Absent – Samuels.

The report was adopted 7/25/2008.

Absent – Samuels.

Resolution 2008R-306, adopting police policies regarding public assemblies, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-306

By Gordon

Adopting police policies regarding public assemblies.

Whereas, the Council has confidence in the planning, training and command structure in place for responding to and handling public assemblies by the Minneapolis Police Department, and commends the Department for its ongoing efforts to protect First Amendment freedoms during political demonstrations but wishes to clearly enunciate police policies for such assemblies;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

1. That where participants in a public assembly fail to comply with reasonable time, place and manner restrictions, the Minneapolis Police Department (MPD) shall, to the extent reasonably possible, first seek to enforce the restrictions through voluntary compliance and then seek, as appropriate, to enforce existing laws. Nothing in this resolution is intended to restrict the authority of the MPD to arrest persons who engage in unlawful disorderly conduct, or violence directed at persons or property.

2. That where participants in a public assembly, or other persons at the location of the assembly, engage in unlawful disorderly conduct, violence toward persons or property, or unlawfully threaten violence, the MPD shall, to the extent reasonably possible, respond by dispersing, controlling, or arresting the persons engaging in such conduct, and not by issuing a general order to disperse, thus allowing the public assembly to continue.

3. That the MPD shall not issue a general order to disperse to participants in a public assembly except where:

(a) A significant number or percentage of the assembly participants fail to adhere to the imposed time, place, and manner restrictions, and the voluntary compliance measures set forth earlier in this resolution have failed to result in substantial compliance or there is no reasonable likelihood that those measures will result in substantial compliance; or

(b) A significant number or percentage of the assembly participants are engaging in, or are about to engage in, unlawful disorderly conduct or violence towards persons or property; or

(c) A public safety emergency has been declared that is not based solely on the fact that the public assembly is occurring, or the Chief of Police determines that the public safety concerns that prompted the declaration require that the public assembly be dispersed.

4. That if and when the MPD determines that a public assembly, or part thereof, should be dispersed, the MPD shall issue at least one clearly audible and understandable order to disperse using an amplification system or device, and shall provide the participants a reasonable and adequate time to disperse and a clear and safe route for dispersal.

5. That except where there is imminent danger of personal injury or significant damage to property, the MPD shall issue multiple dispersal orders and, if appropriate, shall issue the orders from multiple locations. The orders shall inform persons of the route or routes by which they may disperse and shall state that refusal to disperse will subject them to arrest.

6. That whenever possible, MPD shall make an audio or video recording of orders to disperse.

7. That where a public assembly is held on a City street, sidewalk or other public way and an assembly plan has not been approved, the MPD shall, consistent with the interests of public safety, seek to respond to and handle the assembly in substantially the same manner as it responds to and handles assemblies with approved plans.

8. That an order to disperse or arrest assembly participants shall not be based solely on the fact that a plan has not been approved for the assembly.

9. That when responding to and handling a public assembly for which a plan has not been approved, the MPD may take into account any actual diminution, caused by the lack of advance notice, in its ability, or the ability of other governmental agencies, appropriately to organize and allocate their personnel and resources so as to protect the rights of both persons exercising free speech and other persons wishing to use the streets, sidewalks, or other public ways.

10. That no emergency area or zone will be established by using a police line to encircle, or substantially encircle, an assembly (or subpart thereof) conducted for the purpose of persons expressing their political, social, or religious views except where there is probable cause to believe that a significant number or percentage of the persons located in the area or zone have committed unlawful acts (other than failure to have an approved assembly plan) and the police have the ability to identify those individuals and have decided to arrest them; provided, that this section does not prohibit the use of a police line to encircle an assembly for the safety of the demonstrators.

11. That the MPD shall implement a method for enhancing the visibility to the public of the name or badge number of officers policing a planned public assembly by modifying the manner in which those officers' names or badge numbers are affixed to the officers' uniforms or helmets. The MPD shall ensure that all uniformed officers assigned to police planned public assemblies are equipped with the enhanced identification and may be identified even if wearing riot gear. This section shall not apply in the event that assistance beyond the detailed officers from MPD is required.

12. That MPD shall cause every arrest in connection with a public assembly to be documented, in writing or electronically, by the officer at the scene who makes the arrest.

13. That the arrest documentation shall be completed at a time reasonably contemporaneous with the arrest, and shall include all elements required by Minnesota laws and Minneapolis ordinances.

14. That the Chief of Police may implement a procedure for documenting arrests in connection with a public assembly different from that set forth above when the Chief determines that an emergency exists with regard to a specific public assembly, and that implementation of the alternative procedure is necessary to assist police in protecting persons, property, or preventing unlawful conduct; provided, that any such procedure shall adequately document the basis that existed for each individual arrest. That determination shall be made in writing and shall include an explanation of the circumstances justifying the determination.

15. That the MPD shall use handcuffs, plastic cuffs, or other physical restraints only to the extent reasonably necessary, and in a manner reasonably necessary, for the safety of officers and arrestees. Nothing in this resolution is intended to restrict the otherwise lawful authority of the MPD to use handcuffs, plastic cuffs, or other physical restraints on persons arrested in connection with a public assembly at the time of or immediately following arrest, while arrestees are being transported to a processing center, or while arrestees are being transported to or from court.

16. That those individuals who are not placed under custodial arrest must be promptly processed.

17. That individuals who are placed under custodial arrest must be promptly taken to Hennepin County for processing by Hennepin County.

18. That the MPD shall fully and accurately advise persons arrested in connection with a public assembly of all potential release options when processing them for release from custody or for presentation to court.

19. That the MPD shall provide a written notice identifying all release options to each person arrested in connection with a public assembly who is charged solely with one or more misdemeanor offenses. The notice shall also identify the misdemeanor charges lodged against the arrestee.

20. That MPD officers shall not infiltrate public assemblies or gatherings held to plan such assemblies, except in compliance with constitutional standards.

21. That MPD officers taking enforcement actions against participants in a public assembly will use the reasonable level of force required to effect such enforcement actions.

22. Upon request of the arrestee, the MPD shall provide written notice identifying information on the Civilian Police Review Authority and Internal Affairs Unit to each person arrested in connection with a public assembly.

23. That the MPD shall not take enforcement actions against participants in a public assembly, or order participants in a public assembly to disperse, unless the MPD determines that the threat to public safety posed by not taking enforcement action is significantly greater than the risk associated with taking enforcement action, and that before such action is taken, an MPD incident commander shall be designated and the MPD incident commander will document the reasons for this determination.

24. That this Resolution shall supersede the action of the City Council on November 22, 2000, adopting a Policy Regarding Police Conduct at Political Demonstrations.

25. That MPD presence at public assemblies will be based on legitimate public safety concerns and not be based upon intent to chill First Amendment rights.

26. In concurrence with MPD policies, and state and constitutional law, MPD officers will not use pepper spray, tear gas, or similar substances, or projectiles except in situations where the use of such force is reasonable.

27. In concurrence with MPD policies, MPD officers shall not confiscate, destroy or tamper with cameras or other recording devices being used to document public assembly activities or MPD enforcement actions. The restriction on confiscation shall not apply to situations in which a) cameras or recording devices are to be used as evidence subject to First and Fourth Amendment constitutional protections, or b) MPD officers arrest an individual in possession of cameras or recording devices."

28. In concurrence with MPD policies, rubber or plastic bullets or rubber-coated or plastic-coated bullets fired from conventional firearms shall not be used."

29. That MPD officers will not subject law abiding demonstration organizers to disparate enforcement actions. MPD officers will not target law abiding persons not engaged in demonstrating, including journalists, camera people, and legal observers, for enforcement actions."

Adopted 7/25/2008.

Absent – Samuels.

The PUBLIC SAFETY & REGULATORY SERVICES and WAYS & MEANS/BUDGET Committees submitted the following reports:

PS&RS & W&M/Budget - Your Committee recommends passage of the accompanying resolution appropriating \$15,000 to the Police Department Agency to provide funds for Second Precinct police buy back being contributed by Gabby's Saloon and Eatery.

Adopted 7/25/2008.

Absent – Samuels.

RESOLUTION 2008R-307

By Samuels and Ostrow

Amending the 2008 General Appropriation Resolution.

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the General Fund (00100-4002200-42001) by \$15,000.

Adopted 7/25/2008.

Absent – Samuels.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a contract with the Minnesota Department of Public Safety, in an amount not to exceed \$500,000, to receive reimbursement for the Police Department's assistance to Cedar Rapids, Iowa during their flooding. Said Intergovernmental Agreement shall be for the period June 16 through July 15, 2008. Further, passage of the accompanying resolution appropriating \$500,000 to the Police Department.

Adopted 7/25/2008.

Absent – Samuels.

RESOLUTION 2008R-308

By Samuels and Ostrow

Amending the 2008 General Appropriation Resolution.

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Police Department Agency in the Grants - Federal Fund (0130-4002750-321002) by \$500,000.

Adopted 7/25/2008.

Absent – Samuels.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to accept \$40,000 from Allianz Life Insurance Company of North America for the Fire Department to purchase and maintain personal protective equipment (turn-out gear) which will replace damaged or old and worn out equipment.

Adopted 7/25/2008.

Absent – Samuels.

RESOLUTION 2008R-309
By Samuels and Ostrow

Amending the 2008 General Appropriation Resolution.

That the above-entitled resolution, as amended, be further amended by increasing the appropriation for the Fire Department Agency in the Grants - Other Fund (01600-2800700-372001) by \$40,000.

Adopted 7/25/2008.

Absent – Samuels.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an amendment to the grant contract with the Minnesota Department of Public Safety to extend the 2005 Urban Area Security Initiative Grant #2005-UASI-00710 to September 5, 2008, in the amount of \$2,305,356, to continue efforts to strengthen terrorism response capabilities.

Adopted 7/25/2008.

Absent – Samuels.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an amendment to the grant contract with the Minnesota Department of Public Safety to extend the 2005 State Homeland Security Grant #2005-LETPP to September 5, 2008, in the amount of \$74,212, to support the ongoing efforts of the Law Enforcement Terrorism Prevention Program.

Adopted 7/25/2008.

Absent – Samuels.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an amendment to the grant contract with the Minnesota Department of Public Safety to extend the 2005 State Homeland Security Grant #2005-SHSP-00475 to September 5, 2008, in the amount of \$1,100,000, to allow for the expenditure of the remaining grant funds.

Adopted 7/25/2008.

Absent – Samuels.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute an amendment to the grant contract with the Minnesota Department of Public Safety to extend the 2005 State Homeland Security Grant #2005-MMRS-00535 to September 5, 2008, in the amount of \$455,184, to support the ongoing efforts of the Metropolitan Medical Response System.

Adopted 7/25/2008.

Absent – Samuels.

PS&RS & W&M/Budget - Your Committee recommends that the proper City officers be authorized to execute a Joint Powers Agreement with the City of St. Paul for public safety related to the 2008 Republican National Convention outlining each City's responsibilities and the financial reimbursement process. (Petn No 272916)

Adopted 7/25/2008.

Absent – Samuels.

Approved by Mayor Rybak 7/28/2008.

(Published 7/29/2008)

The TRANSPORTATION & PUBLIC WORKS Committee submitted the following reports:

T&PW - Your Committee recommends that the proper City officers be authorized to negotiate and execute an agreement with Minneapolis Venture, LLC, for the lease of two (2) strands of dark fiber optic communication cable between the Gateway Parking Ramp and the Centre Village Parking Ramp, and two (2) strands of dark fiber optic communication cable between the Downtown East Parking Ramp and Centre Village from existing City infrastructure at the rate of \$1,000 per month. The revenue will be applied to the Parking Fund.

Your Committee further recommends that the proper City officers be authorized to negotiate and execute an agreement with Minneapolis Venture, LLC to secure an easement in the Centre Village Skyway to expand the City fiber network through that facility.

Adopted 7/25/2008.

Absent - Samuels.

T&PW - Your Committee, having under consideration an application for a large block event permit for the Uptown Art Fair, to be held August 1, 2, and 3, 2008, now recommends approval of the application as set forth in Title 17, Chapter 455 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Block Events*.

Adopted 7/25/2008.

Absent - Samuels.

T&PW - Your Committee, having under consideration an application for a large block event permit for The Village Arts Festival, to be held August 16 and 17, 2008, now recommends approval of the application as set forth in Title 17, Chapter 455 of the Minneapolis Code of Ordinances relating to *Streets and Sidewalks: Block Events*.

Adopted 7/25/2008.

Absent - Samuels.

T&PW - Your Committee, having received and filed an update on the Railroad Quiet Zone and Railroad Safety Project, now recommends that the proper City officers be authorized to execute an agreement with the State of Minnesota Commissioner of Transportation and the Minnesota Commercial Railroad (MNNR) for the installation of a complete railroad crossing signal system on Broadway St NE (USDOT 463567H MUN 445) east of Industrial Boulevard.

Adopted 7/25/2008.

Absent - Samuels.

The TRANSPORTATION & PUBLIC WORKS and WAYS & MEANS/BUDGET Committees submitted the following reports:

T&PW & W&M/Budget - Your Committee, having under consideration the Bloomington Ave S and 20th Ave S Street Resurfacing Projects, Special Improvement of Existing Street No 5190 and Existing Street No 5191, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

a) Amending Resolution 2008R-199, passed May 16, 2008, revising the project boundaries for the 20th Ave S Street Resurfacing Project;

b) Ordering the work to proceed and adopting the special assessments for the projects;

c) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the Bloomington Ave Project; and

d) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the 20th Ave S Project.

Adopted 7/25/2008.

Absent - Samuels.

Resolution 2008R-310, amending Resolution 2008R-199, revising the project boundaries for the 20th Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5191, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-310
By Colvin Roy and Ostrow

Amending Resolution 2008R-199, entitled “2008 Street Resurfacing Program; Bloomington Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5190 and 20th Ave S Street Resurfacing Project Special Improvement of Existing Street No 5191; designating the improvement of certain existing streets in the 2008 Street Resurfacing Program at the locations described hereinafter”, passed May 16, 2008.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended to read as follows:

That the following existing streets within the City of Minneapolis are hereby designated to be improved, pursuant to the provisions of Chapter 10, Section 8 of the Minneapolis City Charter, by asphalt mill and overlay and including other street resurfacing related improvements as needed.

Bloomington Ave South (5190):

Bloomington Ave S from 38th St E to Minnehaha Pkwy E.

20th Ave South (5191):

20th Ave S from Riverside Ave to Minnehaha Ave.

20th Ave S from Riverside Ave to 75 feet south of 8th St S.

Adopted 7/25/2008.

Absent - Samuels.

Resolution 2008R-311, ordering the work to proceed and adopting the special assessments for the Bloomington Ave S, Special Improvement of Existing Street No 5190, and 20th Ave S, Special Improvement of Existing Street No 5191, Street Resurfacing Projects, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-311
By Colvin Roy and Ostrow

2008 STREET RESURFACING PROGRAM
BLOOMINGTON AVE S STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5190
AND
20TH AVE S STREET RESURFACING PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 5191

Ordering the work to proceed and adopting the special assessments for the Bloomington Ave S and 20th Ave S Projects.

Whereas, a public hearing was held on July 15, 2008 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2008R-199, passed May 16, 2008 to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be it Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2008R-199, passed May 16, 2008, and as amended by Resolution 2008R-310, passed July 25, 2008.

July 25, 2008

Be It Further Resolved that the proposed special assessments in the total amount of \$206,927.01 for Bloomington Ave S and \$58,776 for 20th Ave S, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at five (5) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2009 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2009 real estate tax statements.

Adopted 7/25/2008.

Absent - Samuels.

RESOLUTION 2008R-312
By Colvin Roy and Ostrow

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$206,925 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Bloomington Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5190, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments, payable in the same manner as real estate taxes.

Adopted 7/25/2008.

Absent - Samuels.

RESOLUTION 2008R-313
By Colvin Roy and Ostrow

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$58,775 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the 20th Ave S Street Resurfacing Project, Special Improvement of Existing Street No 5191, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in five (5) successive annual installments, payable in the same manner as real estate taxes.

Adopted 7/25/2008.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee, having under consideration the Xerxes Ave N Street Renovation Project (Plymouth Ave to McNair Ave), Special Improvement of Existing Street No 2268, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project; and
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the project.

Colvin Roy moved that the report be referred back to the Transportation & Public Works Committee. Seconded.

Adopted upon a voice vote 7/25/2008.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee, having under consideration the Malcolm Ave SE Street Reconstruction Project (5th St SE to proposed Granary Rd), Special Improvement of Existing Street No 6728, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

- a) Ordering the work to proceed and adopting the special assessments for the project; and
- b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the project.

Adopted 7/25/2008.

Absent - Samuels.

Resolution 2008R-314, ordering the work to proceed and adopting the special assessments for the Malcolm Ave SE (5th St SE to Dead End) Street Reconstruction Project, Special Improvement of Existing Street No 6728, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-314
By Colvin Roy and Ostrow

MALCOLM AVE SE STREET RECONSTRUCTION PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6728

Ordering the work to proceed and adopting the special assessments for the Malcolm Ave SE (5th St SE to Dead End) Project.

Whereas, a public hearing was held on July 15, 2008 in accordance with chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of Ordinances to consider the proposed improvements as designated in Resolution 2008R-258, passed June 20, 2008, to consider the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2008R-258, passed June 20, 2008.

Be It Further Resolved that the proposed special assessments in the total amount of \$272,997.93 as on file in the office of the City Clerk be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the assessment bonds are sold for, with collection of the special assessments to begin on the 2009 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the assessment bonds are sold for, with collection of the special assessments on the 2009 real estate tax statements.

Adopted 7/25/2008.

Absent - Samuels.

July 25, 2008

RESOLUTION 2008R-315
By Colvin Roy and Ostrow

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$272,995 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Malcolm Ave SE Reconstruction Project, Special Improvement of Existing Street No 6728, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 7/25/2008.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee, having under consideration the 2nd Ave and Marquette Ave Reconstruction/Transit Project, Special Improvement of Existing Street No 6739 and Existing Street No 6740, and having held a public hearing thereon, now recommends passage of the accompanying resolutions:

a) Ordering the work to proceed and adopting the special assessments for the reconstruction/transit project;

b) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the 2nd Ave Project; and

c) Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds for the Marquette Ave Project.

Adopted 7/25/2008.

Absent - Samuels.

Approved by Mayor Rybak 7/28/2008.

(Published 7/29/2008)

Resolution 2008R-316, ordering the work to proceed and adopting the special assessments for the 2nd Ave S, Special Improvement of Existing Street No 6739, and the Marquette Ave, Special Improvement of Existing Street No 6740, Street Reconstruction Project, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-316
By Colvin Roy and Ostrow

2ND AVE S RECONSTRUCTION/TRANSIT PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6739
and
MARQUETTE AVE RECONSTRUCTION/TRANSIT PROJECT
SPECIAL IMPROVEMENT OF EXISTING STREET NO 6740

Ordering the work to proceed and adopting the special assessments for the 2nd Ave S and Marquette Ave Projects.

Whereas, a public hearing was held on July 15, 2008 in accordance with Chapter 10, Section 8 of the Minneapolis City Charter and Section 24.180 of the Minneapolis Code of ordinances to consider the proposed improvements as designated in Resolution 2008R-221, passed June 6, 2008 to consider

the proposed special assessments as on file in the office of the City Clerk and to consider all written and oral objections and statements regarding the proposed improvements and the proposed special assessments;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That the City Engineer is hereby ordered to proceed and do the work as designated in said Resolution 2008R-221, passed June 6, 2008.

Be It Further Resolved that the proposed special assessments in the total amount of \$900,533.39 for 2nd Ave S and \$981,945.79 for Marquette Ave, as on file in the office of the City Clerk, be and hereby are adopted and assessed against the benefited properties.

Be It Further Resolved that the number of successive equal annual principal installments by which the special assessments of more than \$150 may be paid shall be fixed at twenty (20) and that the interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments to begin on the 2010 real estate tax statements.

Be It Further Resolved that the number of installments by which the special assessments of \$150 or less may be paid shall be fixed at one (1) and that interest be charged at the same rate as the City pays in interest for selling assessment bonds, with collection of the special assessments on the 2010 real estate tax statements.

Adopted 7/25/2008.

Absent - Samuels.

Approved by Mayor Rybak 7/28/2008.

RESOLUTION 2008R-317
By Colvin Roy and Ostrow

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$900,530 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the 2nd Ave S Reconstruction Project, Special Improvement of Existing Street No 6739, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 7/25/2008.

Absent - Samuels.

Approved by Mayor Rybak 7/28/2008.

(Published 7/29/2008)

RESOLUTION 2008R-318
By Colvin Roy and Ostrow

Requesting the Board of Estimate and Taxation to issue and sell City of Minneapolis bonds in the amount of \$981,945 for certain purposes other than the purchase of public utilities.

Resolved by The City Council of The City of Minneapolis:

That the Board of Estimate and Taxation be requested to incur indebtedness and issue and sell City of Minneapolis bonds for the purpose of paying the assessed cost of street improvements in the Marquette Ave Reconstruction Project, Special Improvement of Existing Street No 6740, to be assessed against benefited properties as estimated by the City Council, which assessments shall be collectible in twenty (20) successive annual installments, payable in the same manner as real estate taxes.

Adopted 7/25/2008.

Absent - Samuels.

Approved by Mayor Rybak 7/28/2008

(Published 7/29/2008)

T&PW & W&M/Budget - Your Committee recommends acceptance of the qualified low bid submitted to the Public Works Department on OP 6990 from Schaffer Consulting Co, Inc., for an amount not to exceed \$18,521,484, including potential bonuses, to furnish and deliver all labor, materials, equipment, permits, and incidentals necessary to accomplish the reconstruction of Marquette Ave S and 2nd Ave S from 1st St S to 12th St S, as part of the Marquette and 2nd Ave Reconstruction/Transit Project.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said services, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 7/25/2008.

Absent - Samuels.

Approved by Mayor Rybak 7/28/2008.

(Published 7/29/2008)

T&PW & W&M/Budget - Your Committee, having under consideration contracts for the construction of sidewalks, alleys, driveways, curbs, and gutters as needed through December 31, 2008 (OP 6925), now recommends that the following contracts be increased in order to utilize the full amount of the appropriation:

a) Increase Contract C-25719 with Standard Sidewalk, Inc., by \$22,105, for a revised contract total of \$831,666;

b) Increase Contract C-25718 with Ti-Zack Concrete, Inc., by \$23,964.75, for a revised contract total of \$890,441; and

c) Increase Contract C-25720 with Ti-Zack Concrete, Inc., by \$11,484.75, for a revised contract total of \$845,066.

Adopted 7/25/2008.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee recommends that Contract C-21711 with Intex Corporation (OP 6389) be amended to increase the contract by \$35,000, for a revised estimated annual expenditure of \$260,000, to cover the cost of washing 2-inch drain rock. No additional appropriation required.

Adopted 7/25/2008.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee, having under consideration the Cedar Lake Trail, Phase III (from Royalston Ave to W River Pkwy), now recommends passage of the accompanying resolutions:

a) Appointing the Commissioner of Transportation as Agent of the City of Minneapolis to accept federal aid funds and authorizing the execution of an Inter-Agency Agreement with Mn/DOT prescribing the terms and conditions of said federal aid participation; and

b) Authorizing the execution of an amendment to an agreement with the Metropolitan Council reflecting legislative action clarifying that easement acquisitions are eligible project expenditures.

Adopted 7/25/2008.

Absent - Samuels.

Resolution 2008R-319, authorizing the execution of an Inter-Agency Agreement with the Minnesota Department of Transportation for federal participation in right-of-way for the Cedar Lake Trail, Phase III, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-319
By Colvin Roy and Ostrow

CEDAR LAKE TRAIL PHASE III (CITY PROJECT NO 9844)

Authorizing the execution of an Inter-Agency Agreement with the Minnesota Department of Transportation for federal participation in right-of-way, pending satisfactory review by the proper City officers.

Whereas, the City of Minneapolis has included the completion of the Cedar Lake Trail within its capital improvement program; and

Whereas, the City sought and received a federal grant to help fund the completion of the Cedar Lake Trail; and

Whereas, in order for the City to utilize the federal funds for acquiring right-of-way easements for the trail, the City needs to enter into an agreement to have Mn/DOT act as its agent;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the City of Minneapolis to accept as its agent, federal aid funds which may be made available for eligible transportation-related projects.

Be It Further Resolved that pending satisfactory review, the proper City officers are hereby authorized and directed for and on behalf of the City of Minneapolis to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No 92797", a copy of which said agreement was before the City Council and which is made a part hereof by reference.

Adopted 7/25/2008.

Absent - Samuels.

Resolution 2008R-320, authorizing the execution of an amendment to an agreement with the Metropolitan Council clarifying that the acquisition of easements are eligible project expenditures, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-320
By Colvin Roy and Ostrow

CEDAR LAKE TRAIL PHASE III (CITY PROJECT NO 9844)

Authorizing the execution of Amendment No 1 to Metropolitan Council Agreement No SG-2006-145 (City Contract No C-23910) pending satisfactory review by the proper City officers.

Whereas, the City of Minneapolis has included the completion of the Cedar Lake Trail within its capital improvement program; and

Whereas, the City sought and received a State Recreation Open Space Grant to help fund the completion of the Cedar Lake Trail; and

Whereas, though the grant was to complete the Cedar Lake Trail, the Metropolitan Council and Minnesota Department of Finance requested the City seek clarification that easement acquisitions were eligible project expenditures; and

Whereas, in the 2008 State of Minnesota Bonding Bill, the State Legislature included clarification that the acquisition of easements were eligible project expenditures;

Now, Therefore, Be It Resolved by The City Council of The City of Minneapolis:

That pending satisfactory review, the proper City officers are hereby authorized and directed for and on behalf of the City of Minneapolis to execute Amendment No 1 to Metropolitan Council Agreement No SG-2006-145 (City Contract No C-23910).

Adopted 7/25/2008.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for structural inspection and testing services of City-owned and/or operated parking ramps to meet the certification requirements of City ordinance and Mn/DOT.

Adopted 7/25/2008.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to negotiate and execute a lease with Larson Properties, LLC, for office space in the Flour Exchange Building (310 4th Ave S) to accommodate the temporary office space needs for the Fire Department and other future space needs to continue to re-stacking of spaces in City Hall. Funding has been included in the current service level adjustments for 2009 in the Fire Department.

Adopted 7/25/2008.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee, having under consideration the lease of Suites 220 and 720 in the Tri-Tech Building (331 2nd Ave S) for Business Information Services (BIS), now recommends that the proper City officers be authorized to negotiate and execute amendments to Contract No 016349 and Contract No 016350 to allow the continued use of Suites 220 and 720 through December 31, 2011. Funding will continue to be paid from the operating funding for BIS (Fund 06400 Department 8800110).

Adopted 7/25/2008.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee recommends that the proper City officers be authorized to negotiate and execute a new five-year lease, to include renewal options, with Goldberg Bonding, Inc., for office and storage space in the Jerry Haaf Municipal Parking Ramp (418 4th St S). Revenue from the lease will be deposited into the Parking Fund.

Adopted 7/25/2008.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee, having under consideration the construction of the Midtown Greenway Bike Center, now recommends that the proper City officers be authorized to increase the Contract C-25240 with Frerichs Construction by \$87,084.56, for a revised contract total of \$665,084.60, to allow payment of change orders. No additional appropriation required.

Adopted 7/25/2008.

Absent - Samuels.

T&PW & W&M/Budget – Your Committee recommends that the proper City officers be authorized to execute an Intergovernmental Agreement between the City of Minneapolis, the Minneapolis Park and Recreation Board, and the Metropolitan Council with respect to the performing/funding of base improvements and specific parameters relating to Metro Transit bus operations on Victory Memorial Parkway between 42nd Ave N and Lake Dr.

Adopted 7/25/2008.

Absent - Samuels.

Approved by Mayor Rybak 7/28/2008.

(Published 7/29/2008)

T&PW & W&M/Budget - Your Committee, having under consideration the clarification of the use of the Property Disposition Fund, now recommends approval of the recommended changes specifying in the City's Financial Policies that the proceeds of the Property Disposition Fund are to be used for implementing the City's strategic real estate plan, as developed and approved by the Facilities, Space, and Asset Management Committee.

Your Committee further recommends directing staff that the proceeds of a sale of the Public Works Yards at 44th and Snelling Ave will first be available for public improvements, or property acquisition to implement public improvements, within two blocks of the Yards site in order to carry out the community and regional vision for transit-oriented development and circulation improvements around the 46th Street Light Rail Transit Station, as adopted in Minneapolis' Comprehensive Plan.

Ostrow moved to divide the report so as to consider separately that portion relating to the proceeds of a sale of the Public Works Yards. Seconded.

Adopted upon a voice vote.

Absent - Samuels.

Colvin Roy moved adoption of the balance of the report. Seconded.

Adopted 7/25/2008.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee, having under consideration the clarification of the use of the Property Disposition Fund, now recommends directing staff that the proceeds of a sale of the Public Works Yards at 44th and Snelling Ave will first be available for public improvements, or property acquisition to implement public improvements, within two blocks of the Yards site in order to carry out the community and regional vision for transit-oriented development and circulation improvements around the 46th Street Light Rail Transit Station, as adopted in Minneapolis' Comprehensive Plan.

Adopted 7/25/2008. Yeas, 10; Nays, 2 as follows:

Yeas - Hofstede, Schiff, Lilligren, Colvin Roy, Glidden, Remington, Benson, Hodges, Gordon, Johnson.

Nays - Ostrow, Goodman.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee, having under consideration the composting/disposal of street sweepings, yard wastes, and leaves from the Fall Street Sweeping Program, with a staff request that the proper City officers be directed to negotiate and execute a contract with RW Farms, LLC and/or Resource Technologies, LLC, and the Ways & Means/Budget Committee's consideration of the possible inclusion of labor peace provisions in said contract, now recommends that the matter be **sent forward without recommendation**.

Glidden moved that the report be postponed one cycle and referred back to the Ways & Means/Budget Committee. Seconded.

Adopted upon a voice vote 7/25/2008.

Absent - Samuels.

T&PW & W&M/Budget - Your Committee recommends acceptance of the following bids submitted to the Public Works Department:

a) OP 6957, Accept low bid of Aduddell Roofing, for an estimated annual expenditure of \$200,000, to furnish and deliver roofing repairs, as needed;

b) OP 6960, Accept low responsive bid of Crowley Company, Inc., in the amount of \$668,000, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the Columbia Heights Entrance Project;

c) OP 6970, Accept low bid of Madsen-Johnson Corporation, in the amount of \$7,256,800, to furnish and deliver all labor, materials, equipment, and incidentals necessary to accomplish the renovation of Pump Station No 4;

d) OP 6976, Accept low responsive bid of Hawkins, Inc., for an estimated annual expenditure of \$800,000, to furnish and deliver ferric sulfate to the Public Works Water Department; and

e) OP 6981, Accept bid of Hawkins, Inc., for an estimated annual expenditure of \$200,000, to furnish and deliver sodium permanganate to the Public Works Water Department.

Your Committee further recommends that the proper City officers be authorized and directed to execute a contract for said services, all in accordance with City specifications and contingent upon approval of the Civil Rights Department.

Adopted 7/25/2008.

Absent - Samuels.

Approved by Mayor Rybak 7/28/2008.

(Published 7/29/2008)

The WAYS & MEANS/BUDGET Committee submitted the following reports:

W&M/Budget - Your Committee recommends passage of the accompanying resolution authorizing the settlement of legal matters, as recommended by the City Attorney.

Adopted 7/25/2008.

Absent - Samuels.

Resolution 2008R-321, authorizing settlement of *Edith Madora Hudson v. City of Minneapolis and John Mills*, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-321
By Ostrow

Authorizing legal settlement.

Resolved by The City Council of The City of Minneapolis:

That the City Attorney is authorized to proceed with the settlement of:

Edith Madora Hudson v. City of Minneapolis and John Mills, as set forth in Petn No 272927 on file in the Office of the City Clerk, by payment of \$25,000, payable to Goins Law Offices, LTD., for and on behalf of Edith Madora Hudson; payable from the Self Insurance Fund (6900-150-1500-4000).

Further, authorize the City Attorney's Office to execute any documents necessary to effectuate the settlement.

Adopted 7/25/2008.

Absent - Samuels.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend the Unisys Managed Services Contract C-25200 by \$64,719 for an increase in scope to provide a Network Intrusion Detection System.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation to the Business Information Services Fund by \$22,177. (Emergency Preparedness is funding the implementation of this project while Capital Long-Range Improvement Committee funds will be used for the on-going support fees.)

Adopted 7/25/2008.

Absent - Samuels.

RESOLUTION 2008R-322
By Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the amount in the Info Tech - Internal Service Fund (06400-8800310-880F8252) by \$22,177 and increasing the revenue appropriation (06400-8800310-3455) by \$22,177.

Adopted 7/25/2008.

Absent - Samuels.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to amend the Unisys Managed Services Contract C-25200 by \$73,031 for an increase in scope to provide laptops to the City Attorney's Office.

Your Committee further recommends passage of the accompanying resolution increasing the appropriation to the Business Information Services Fund by \$73,031.

Adopted 7/25/2008.

Absent - Samuels.

RESOLUTION 2008R-323

By Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by increasing the amount in the Info Tech - Internal Service Fund (06400-8800310-880F7690) by \$73,031 and increasing the revenue appropriation (06400-8800310-3455) by \$73,031.

Adopted 7/25/2008.

Absent - Samuels.

W&M/Budget - Your Committee recommends that the proper City officers be authorized to issue a Request for Proposals (RFP) for Meter Coin Armored Car Services, following approval of the RFP by the Permanent Review Committee.

Adopted 7/25/2008.

Absent - Samuels.

W&M/Budget - Your Committee recommends concurrence with the Executive Committee in approving the new appointed position of Deputy Director Managed Services, Business Information Services, (grade 13 with 595 points), effective July 16, 2008.

Your Committee further recommends passage of the accompanying Salary Ordinance establishing the salary for said appointed position.

Adopted 7/25/2008.

Absent - Samuels.

Ordinance 2008-Or-054 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, approving the appointed position of Deputy Director Managed Services, Business Information Services, was adopted 7/25/2008 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2008-Or-054

By Ostrow

1st & 2nd Readings: 7/25/2008

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

July 25, 2008

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed Officials (CAP)

Effective: July 16, 2008

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B" years	Step D After 3 "C" years
E	1	Deputy Director Managed Services, BIS	595	13	A				
		Base Pay as predicted by pay plan				\$85,508	\$90,009	\$92,709	\$94,509
		2008 Market Exception				\$11,299	\$11,893	\$12,250	\$12,488
		2008 Recommended Salary				\$96,807	\$101,902	\$104,959	\$106,997

Adopted 7/25/2008.

Absent - Samuels.

W&M/Budget - Your Committee recommends concurrence with the Executive Committee in approving the new appointed position of Council Office Associate, 13 positions (grade 5 with 265 points), effective July 28, 2008.

Your Committee further recommends passage of the accompanying Salary Ordinance establishing the salary for said appointed position.

Adopted 7/25/2008. Yeas, 10; Nays, 2 as follows:

Yeas - Hofstede, Ostrow, Schiff, Lilligren, Glidden, Remington, Benson, Goodman, Hodges, Johnson.

Nays - Colvin Roy, Gordon.

Absent - Samuels.

Ordinance 2008-Or-055 amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to *Administration: Personnel*, approving the appointed position of Council Office Associate, was adopted 7/25/2008 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2008-Or-055
By Ostrow
1st & 2nd Readings: 7/25/2008

Amending Title 2, Chapter 20 of the Minneapolis Code of Ordinances relating to Administration: Personnel.

The City Council of the City of Minneapolis do ordain as follows:

Section 1: That the following classification in Section 20.10.01 of the above-entitled ordinance be amended to make the following changes: (Annual Rates)

Appointed Officials (CAP)

Effective: July 28, 2008

FLSA	OTC	CLASSIFICATION	PTS	G	P	Step A Start rate	Step B After 1 "A" year	Step C After 2 "B" years	Step D After 3 "C" years
N-3	1	Council Office Associate	265	5	A	\$43,790	\$46,095	\$47,478	\$48,400

* Current incumbents will be eligible for longevity compensation according to the AFSCME - Clerical and Technical collective bargaining agreement.

Adopted 7/25/2008. Yeas, 10; Nays, 2 as follows:

Yeas - Hofstede, Ostrow, Schiff, Lilligren, Glidden, Remington, Benson, Goodman, Hodges, Johnson.

Nays - Colvin Roy, Gordon.

Absent - Samuels.

W&M/Budget - Your Committee recommends passage of the accompanying resolutions approving the terms of the following 36-month labor agreements:

a) International Union of Operating Engineers, Local #70, effective October 1, 2007 through September 30, 2010;

b) International Association of Machinists and Aerospace Workers, District Lodge #77, effective July 1, 2007 through June 20, 2010; and

c) AFSCME Council 5, Local 9, 9-1-1 Unit, effective January 1, 2008 through December 31, 2010.

Adopted 7/25/2008.

Absent - Samuels.

Resolution 2008R-324, approving the terms of a 36-month labor agreement with the International Union of Operating Engineers, Local #70, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-324

By Ostrow

Approving the terms of a collective bargaining agreement with the International Union of Operating Engineers, Local #70 and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the International Union of Operating Engineers, Local #70 (Petn No 272931), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 7/25/2008.

Absent - Samuels.

Resolution 2008R-325, approving the terms of a 36-month labor agreement with the International Association of Machinists and Aerospace workers, District Lodge #77, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

July 25, 2008

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-325

By Ostrow

Approving the terms of a collective bargaining agreement with the International Association of Machinists and Aerospace Workers, District Lodge #77 and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the International Association of Machinists and Aerospace Workers, District Lodge #77 (Petn No 272931), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 7/25/2008.

Absent - Samuels.

Resolution 2008R-326, approving the terms of a 36-month labor agreement with the AFSCME Council 5, Local 9, 9-1-1 Unit, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-326

By Ostrow

Approving the terms of a collective bargaining agreement with the AFSCME Council 5, Local 9, 9-1-1 Unit and authorizing execution and implementation of said agreement.

Resolved by The City Council of The City of Minneapolis:

That the executive summary of the collective bargaining agreement between the City of Minneapolis and the AFSCME Council 5, Local 9, 9-1-1 Unit (Petn No 272931), be approved.

Be It Further Resolved that the proper City officers be authorized to prepare and execute said collective bargaining agreement consistent with the terms of the executive summary and that the Human Resources Director be authorized to implement the terms and conditions of the collective bargaining agreement upon its execution.

Adopted 7/25/2008.

Absent - Samuels.

W&M/Budget - Your Committee, having under consideration the Permanent Review Committee (PRC) findings and recommendation relating to the Request for Proposals for On-Street Parking Meter Technology, now recommends that the findings prepared by the PRC (Petn No 272932), be adopted.

Adopted 7/25/2008.

Absent - Samuels.

Approved by Mayor Rybak 7/28/2008.

(Published 7/29/2008)

W&M/Budget - Your Committee recommends that the proper City officers be authorized to receive up to \$229,097 from Federal Highway Administration (FHWA) for reimbursements of costs incurred as a result of activities performed after the initial response to the 35W bridge collapse.

Your Committee further recommends passage of the accompanying resolution increasing the

appropriations as follows:

- a) Minneapolis Police Department by \$123,538; and
- b) Regulatory Services by \$4,825.

Adopted 7/25/2008.

Absent - Samuels.

RESOLUTION 2008R-327

By Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by:

a) increasing the revenue appropriation in the Police Department (00100-400-DT12-3455-01-35WB) by \$123,538.

b) increasing the amount in the General Fund for Regulatory Services (00100-835200-507000) by \$4,825 and increasing the revenue appropriation (00100-835200-345501) by \$4,825.

Adopted 7/25/2008.

Absent - Samuels.

W&M/Budget - Your Committee recommends passage of the accompanying resolution making modifications to the appropriations to departments having employees that belong to bargaining units that have settled contracts in excess of the two-percent (2%) annual salary increase assumption.

Adopted 7/25/2008.

Absent - Samuels.

Resolution 2008R-328, modifying department appropriations that require use of 2008 contingency funds, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-328

By Ostrow

Amending The 2008 General Appropriation Resolution.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled Resolution, as amended, be further amended by:

a) decreasing the Contingency Fund appropriation (00100-1750000) by \$1,546,000.

b) increasing the appropriations in the following funds:

<u>Fund</u>	<u>Department</u>	<u>Description</u>	<u>Appropriation</u>
00100	1000000	Assessor General	\$11,000
00100	1400000	Attorney General	\$5,000
00100	2600000	Clerk General	\$7,000
00100	2600500	Elections General	\$1,000
00100	2800000	Fire General	\$108,000
00100	3000000	Civil Rights General	\$3,000
00100	3750000	Mayor General	\$1,000
00100	4000000	Police General	\$1,285,000
00100	6000000	PW - Trans Planning & Engineering General	\$2,000
00100	6000200	PW - Special Assessments General	\$1,000
00100	6070000	PW - Transportation Maintenance & Repair General	\$3,000
00100	6300000	PW - Surface Water and Sewers General	\$1,000
00100	6300500	PW - Sewer & Water Connections General	\$2,000

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00100	6500000	PW - Administration General	\$4,000
00100	6850000	PW - Traffic & Parking Services General	\$1,000
00100	6850300	PW - Planning/Design General	\$1,000
00100	8150000	Human Resources General	\$5,000
00100	8200000	Finance General	\$30,000
00100	8300000	911/311 General	\$27,000
00100	8350000	Regulatory Services General	\$34,000
00100	8400100	Coordinator Administration General	\$1,000
00100	8410000	IGR General	\$3,000
00100	8420000	Communications General	\$1,000
00100	8600000	Health & FS General	\$1,000
00100	8900000	CPED General	\$8,000

c) decreasing the following fund balances:

<u>Fund</u>	<u>Department</u>	<u>Description</u>	<u>Appropriation</u>
01210	4000000	Police Dept - Special Revenue Fund	\$7,000
01400	3000000	Civil Rights CDBG UDAG	\$3,000
01400	8200000	Finance CDBG UDAG	\$2,000
01400	8600000	Health & FS CDBG UDAG	\$1,000
01400	8900200	CPED CDBG UDAG (Hsng Policy Dev Support)	\$3,000
01400	8900220	CPED CDBG UDAG (Aff Hsng)	\$2,000
01400	8900240	CPED CDBG UDAG (RE Dev Svcs - Const Mgmt)	\$1,000
01410	8900220	CPED Federal MCDA Grants (Aff Hsng)	\$1,000
01600	4000000	Police Dept - Grants/Other	\$53,000
01600	8600000	Health & FS - Grants/Other	\$3,000
01600	8600000	Health & FS Other Grants	\$3,000
01760	8650000	MCC Conv Ctr Operations	\$5,000
01760	8650100	Conv Ctr - Conv Ctr Ops Fund	\$8,000
04100	6000000	PW - Trans Plg & Eng Cap Imp Total	\$8,000
04100	6070100	PW - Sidewalk Inspection Cap Imp	\$1,000
06000	6400000	PW - Eng Mat Test Int Svc	\$2,000
06100	6750000	PW - Fleet Total	\$1,000
06200	6800000	PW - Prop Services Total	\$1,000
06200	6800440	PW - Facility Mgmt - Prop Svc Int Svc	\$1,000
06400	2600400	Clerk Copy Center Ops Int Svc Fund	\$1,000
06400	8800000	BIS Total	\$3,000
06900	1400000	Attorney Self Ins	\$3,000
06900	8150000	Human Resources Self Ins	\$1,000
07300	6300100	PW - Stormwater Sewer Maint Strm wtr Fund	\$1,000
07300	6300300	PW - Storm Sewer Design Storm wtr Fund	\$4,000
07300	6300400	PW - CSO Phase II Stormwater Fund	\$1,000
07400	6900000	PW - Water total	\$1,000
07400	6900270	PW - Admin & Acctng - Water Entprs Fund	\$1,000
07400	6900300	PW - Water - Water E Fund	\$1,000
07400	6900410	PW - Pumping - Admin - Water E Fund	\$1,000
07400	6900440	PW - Treatment Admin - Water E Fund	\$1,000
07400	6900465	PW - Fridley Chem Lab - Water E Fund	\$1,000
07400	6900510	PW - Maintenance - Administration - Water E Fund	\$3,000
07400	6900610	PW - Distribution Admin - Water E Fund	\$1,000
07400	6900640	PW - Meter Services - Water E Fund	\$1,000
07500	6850600	PW - On Street Pkng - Muni Pkng Fund	\$1,000
07500	6850800	PW - Towing/Impound - Muni Pkng Fund	\$4,000
07700	6640000	PW - SW & Recycling Total	\$1,000

07700	6640800	PW - Customer Svc - Sol Waste Enterprise	\$2,000
01CAD	8900320	CPED Business Development/TIF Admin	\$4,000
01CPP	8900100	CPED Prelim Planning	\$2,000
01SHP	8900220	CPED Affordable Housing/Housing Program	\$3,000
Adopted 7/25/2008.			
Absent - Samuels.			

W&M/Budget - Your Committee, having under consideration the review of the City's relationship to and governance of the Meet Minneapolis contract for Sales and Marketing Services, which expires on December 31, 2009, and having directed staff to report back with a proposal on having the best method and timeline for evaluating the use of an external consultant, now recommends approval of the staff recommendation that an outside vendor with industry expertise in Municipal Governance and Performance Contract Management provide an objective review and specific guidance for sales and marketing of the Minneapolis Convention Center and for Convention and Tourism Services.

Adopted 7/25/2008.

Absent - Samuels.

The ZONING & PLANNING Committee submitted the following reports:

Z&P - Your Committee, having under consideration the application of Washburn Center for Children for an interim use permit (BZZ-4105) for a 24 space surface parking lot at 2437 Nicollet Ave for a 5 year period to expire no later than July 25, 2013, now recommends adoption of the findings of Community Planning & Economic Development staff, and approval of said application upon the following conditions:

1) four bicycle parking spaces shall be provided, on the site of the principal use served, as required by MCO section 551.155(1)(a);

2) a maximum of sixty-eight spaces total shall be provided between the site of the principal use (2430 Nicollet Ave) and site of the additional accessory parking (2437 Nicollet Ave), as required by MCO section 551.140(f);

3) CPED Planning staff review and approval of the final site and landscaping plans;

4) that a fence be installed on the Nicollet Ave street side and the applicant be instructed to work with Public Works to provide fencing that matches the fencing from the Eat Street streetscape improvement; and

5) that landscaping include flowering native plants.

Adopted 7/25/2008.

Absent - Samuels.

Z&P – Your Committee, having under consideration the application of Jim LaValle (BZZ-4013) to rezone the properties at 1500-1506 4th Street SE and 310-316 15th Ave SE from C1, C2 and OR3 to the C3A District and to add the PO overlay district to a portion of the property at 1506 4th Street SE to allow for a mixed use building addition with 198 dwelling units, now recommends that, notwithstanding the recommendation of the Planning Commission, said petition be granted, and the related findings prepared by the Department of Community Planning & Economic Development be adopted.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 7/25/2008.

Absent - Samuels.

Ordinance 2008-Or-056 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the properties at 1500-1506 4th St SE and 310-316 15th Ave SE to the C3A Community Activity District and the property at 1506 4th St SE by adding the PO Pedestrian Oriented Overlay District, was adopted 7/25/2008 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2008-Or-056
By Schiff
1st & 2nd Readings: 7/25/2008

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcels of land, pursuant to MS 462.357:

That part of Lots 4, 5, 6, and 7, Block E, TUTTLE'S ADDITION TO SAINT ANTHONY, Hennepin County, Minnesota (1500-1506 4th St SE and 310-316 15th Ave SE - Plate 15) to the C3A District; and that part of Lot 4, Block E, TUTTLE'S ADDITION TO SAINT ANTHONY, Hennepin County, Minnesota (1506 4th St SE - Plate 15) to add the PO Pedestrian Oriented Overlay District to the C3A District.

Adopted 7/25/2008.

Absent - Samuels.

Z&P - Your Committee, having under consideration the appeal filed by Jim LaValle on behalf of Doran Companies from the decision of the Planning Commission, notwithstanding the recommendation of staff, denying applications for a) conditional use permit to allow 198 dwelling units; b) conditional use permit to increase building height to 13 stories and 135 feet; c) variance to reduce the minimum lot area requirement by 24.2 percent; d) variance to increase the maximum floor area ratio to 6.29; e) variance of the PO overlay district standards to allow the building to be set back more than 8 feet from the street; f) variance to reduce the front yard requirement adjacent to the northeasterly property line to 0 feet; g) variance to reduce the interior side yard requirement adjacent to the southeasterly property line to 0 feet ;and h) site plan review; all for the properties located at 1500-1506 4th St SE and 310-316 15th Ave SE, now recommends that said appeal be granted, subject to the conditions that:

1) The conditional use permits shall be recorded with Hennepin County as required by Minn. Stat. 462.3595 before building permits may be issued or before the use or activity requiring a conditional use permit may commence;

2) Final plans for the Dinky Dome shall be approved before building permits for the new addition are issued; all work on the Dinky Dome must meet Secretary of the Interiors standards for rehabilitation and must be completed by July 25, 2010;

3) At least 50% of the 4th Street elevation above the first floor shall be stepped back 10 feet from the property line;

4) CPED - Planning staff shall review and approve final elevations, site and landscape plans;

5) Site improvements required by Chapter 5230 or by the Planning Commission shall be completed by July 25, 2009, or the permit may be revoked for non-compliance;

6) The north and east elevations shall contain additional architectural elements, including recesses, projections, and windows, as required by section 530.120 of the zoning code;

7) The building shall not contain blank, uninterrupted walls that do not include window, entries, recesses, projections, or other architectural elements that exceed 25 feet in length as required by section 530.120 of the zoning code;

8) At least 15% of the east 1st floor building wall facing the surface parking area shall be windows as required by section 530.120 of the zoning code;

9) Clearly identifiable pedestrian access to the surface parking area from the 4th St sidewalk shall be provided as required by section 530.130 of the zoning code;

10) A decorative, ornamental metal fence shall be provided adjacent to the parking and loading adjacent to the southeasterly property line in lieu of the landscaping and screening required by section 530.170(b)(2) of the zoning code; and

11) Mechanical equipment shall be screened as required by section 535.70 of the zoning code.

Your Committee further recommends that alternative compliance be granted for the building setback on 4th Street as shown on the most recent drawings under the site plan, and the related findings prepared by the Department of Community Planning & Economic Development be adopted.

Adopted 7/25/2008.

Absent - Samuels.

Z&P - Your Committee, having under consideration the appeal filed by Thomas Deegan on behalf of the Problem Properties Unit of the City of Minneapolis Regulatory Services Department from the decision of the Heritage Preservation Commission denying an application for Demolition of a Historic Resource application for a single family dwelling at 822 26th Ave NE, now recommends that the appeal be granted and the demolition be approved.

Your Committee further recommends that staff be directed to come forward to the Council with a moratorium report after the demolition of this property is complete to request a moratorium on this block to last for one year in order to kick start a designation study for the remaining properties.

Adopted 7/25/2008.

Absent - Samuels.

Z&P - Your Committee, having under consideration the appeal filed by Mike Lawrance with Sign Crafters on behalf of Todd Wojack from the decision of the Board of Adjustment which denied his application for variances to a) increase the amount of signage along 4th St NE to 51 square feet, b) to increase the area of a projecting sign to 24 square feet, and c) to increase the area of a wall sign to 51 square feet, all to allow for two un-permitted existing signs, at 2500 4th Street NE, now recommends that said appeal be granted, subject to the condition that no additional signage shall be allowed.

Adopted 7/25/2008.

Absent - Samuels.

Z&P - Your Committee concurs in the recommendation of the Planning Commission granting the application of Todd Jones on behalf of Premier Storage, LLC, to vacate a portion of an existing dead-end alley at 2845 Harriet Ave S (#1543), subject to retention of easement rights by Xcel Energy, and to adopt the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying resolution vacating said alley.

Adopted 7/25/2008.

Absent - Samuels.

Resolution 2008R-329, vacating a portion of the alley at 2845 Harriet Ave S, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-329

By Schiff

Vacating part of the Alley in Block 3, Excelsior Addition to Minneapolis; (#1543).

Resolved by The City Council of The City of Minneapolis:

That part of the alley as dedicated in Block 3, Excelsior Addition to Minneapolis, according to the recorded plat thereof Hennepin County, Minnesota, which lies between the westerly extensions of the north and south lines of Lot 1, said Block 3.

Adopted 7/25/2008.

Absent - Samuels.

Z&P – Your Committee concurs in the recommendation of the Planning Commission in granting the petition of CommonBond Communities (BZZ-4045) to rezone the property at 401 8th Avenue SE from R2B to the R5 District to permit a 4-story, 39-unit senior housing facility with a 5,400 square foot religious place of assembly, and adopting the related findings prepared by the Department of Community Planning & Economic Development.

Your Committee further recommends passage of the accompanying ordinance amending the Zoning Code.

Adopted 7/25/2008.

Absent - Samuels.

Ordinance 2008-Or-057 amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to *Zoning Code: Zoning Districts and Maps Generally*, rezoning the property at 401 8th Ave SE to the R5 District, was adopted 7/25/2008 by the City Council. A complete copy of this ordinance is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized ordinance.

ORDINANCE 2008-Or-057

By Schiff

1st & 2nd Readings: 7/25/2008

Amending Title 20, Chapter 521 of the Minneapolis Code of Ordinances relating to Zoning Code: Zoning Districts and Maps Generally.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Section 521.30 of the above-entitled ordinance be amended by changing the zoning district for the following parcel of land, pursuant to MS 462.357:

That part of Lots 9 and 10, Block 4, Saint Anthony Falls, Hennepin County, Minnesota, (401 8th Avenue SE - Plate 15) to the R5 District.

Adopted 7/25/2008.

Absent - Samuels.

Z&P - Your Committee recommends passage of the accompanying resolution amending Resolution No. 2008R-203 entitled "Vacating part of the alley on the block surrounded by 38th St E and 29th Ave S (#1542)," passed May 16, 2008, in relation to the application of KK Corporation to vacate said alley portion, to correct the legal description.

Adopted 7/25/2008.

Absent - Samuels.

Resolution 2008R-330, amending Resolution No. 2008R-203 entitled "Vacating part of the alley on the block surrounded by 38th St E and 29th Ave S (#1542)," passed May 16, 2008, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-330

By Schiff

Amending Resolution No. 2008R-203 entitled "Vacating part of the alley on the block surrounded by 38th St E and 29th Ave S (#1542)," passed May 16, 2008.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended by correcting the legal description to read as follows:

"That part of the alley as dedicated in Block 17, Palmer's Addition to Minneapolis, according to the recorded plat thereof on file, Hennepin County, Minnesota, lying north of a line that is parallel with and 16.00 feet north of the easterly extension of the south line of Lot 23, said Block 17 and lying south and west of the following described line: Commencing at the southeast corner of Lot 15, Block 16, said Palmer's Addition to Minneapolis, thence easterly along the south block line of Block 17, said Addition, on an assumed azimuth of 89 degrees 44 minutes 28 seconds a distance of 417.51 feet to the point of beginning of the line to be described; thence northwesterly on an azimuth of 334 degrees, 25 minutes, 49 seconds a distance of 692.67 feet and there terminating."

Adopted 7/25/2008.

Absent - Samuels.

Z&P - Your Committee recommends passage of the accompanying resolution amending Resolution No. 2004R-200 entitled "Vacating a portion of the "L-shaped" alley in Block 1 & 4, Excelsior Addition to Minneapolis (#1430)," passed April 30, 2004, in relation to the application of the Cornerstone Group to vacate said alley portion, to correct the legal description.

Adopted 7/25/2008.

Absent - Samuels.

Resolution 2008R-331, amending Resolution No. 2004R-200 entitled "Vacating a portion of the "L-shaped alley in Block 1 & 4, Excelsior Addition to Minneapolis (#1430)," passed April 30, 2004, was adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-331

By Schiff

Amending Resolution No. 2004R-200 entitled "Vacating a portion of the "L-shaped alley in Block 1 & 4, Excelsior Addition to Minneapolis (#1430)," passed April 30, 2004.

Resolved by The City Council of The City of Minneapolis:

That the above-entitled resolution be amended by correcting the legal description to read as follows:

"That the south 12 feet of the north fifteen (15) feet of Lot 8, Block 1, Excelsior Addition to Minneapolis, according to the recorded plat thereof; and,

All that portion of Lots 8 and 9, Block 1, Excelsior Addition to Minneapolis described as follows: Beginning at a point on the east line of Lot 9 distant 7 feet north of the southeast corner of Lot 9; thence south along the east lines of Lots 9 and 8 to a point 3 feet south of the northeast corner of Lot 8, thence westerly along a line parallel to and 3 feet south of the north line of Lot 8 to a point 10 feet west of the east line of Lot 8; thence running northeasterly on a straight line to the point of beginning, all according to Doc. No.'s 4193866 & 4193867 of record at Hennepin County, MN; and,

That part of the alley in Blocks 1 and 4, Excelsior Addition to Minneapolis, according to the recorded plat thereof, lying north of a line drawn from the northeast corner of Lot 11, said Block 4, to the northwest corner of Lot 2, said Block 4 and lying south of the westerly extension of the north line of the south 12 feet of Lot 6, said Block 1 to the east line of Lot 9, said Block 1."

Adopted 7/25/2008.

Absent - Samuels.

RESOLUTIONS

Resolution 2008R-332, amending Resolution 2008R-253 entitled "approving extended hours of alcohol service for on sale liquor establishments during the 2008 Republican National Convention", was

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adopted 7/25/2008 by the City Council. A complete copy of this resolution is available for public inspection in the office of the City Clerk.

The following is the complete text of the unpublished summarized resolution.

RESOLUTION 2008R-332
By Goodman

Amending Resolution 2008R-253 entitled "Approving extended hours of alcohol service for on sale liquor establishments during the 2008 Republican National Convention", passed June 20, 2008.

Resolved by The City Council of the City of Minneapolis:

That the above-entitled Resolution be amended by changing the following resolved clauses to read as follows:

That the application deadline for a permit for extended hours of alcohol service is ~~August 4, 2008~~ August 11, 2008.

Be It Further Resolved that The Director of Licenses and Consumer Services be allowed to assess a fee of \$2500.00 for each extended hour alcohol service permits at establishments that are providing extended hours to the general public, and a fee of \$100 for those extended hour alcohol service permits for hotels or establishments that are providing extended hours to hosted, private events where the entire premise is under contract for the exclusive use of one guest entity. In the event that additional City services are required to respond to security incidents, the License & Consumer Services Division will require that the licensee reimburse the City for the actual costs of those services.

Adopted 7/25/2008.

Absent - Samuels.

NEW BUSINESS

Ostrow moved to accept the bid received on OP #6999 submitted by Foster Miller, in the amount of \$135,366, to furnish and deliver a bomb squad robot to the Minneapolis Police Department, contingent upon approval by the Department of Civil Rights and in accordance with City specifications. Seconded.

Adopted 7/25/2008.

Absent - Samuels.

Lilligren moved to adjourn to Room 315 City Hall to consider the Arradondo, et al v. City of Minneapolis, et al, United States District Court File No. 07-CV-4736, lawsuit. Seconded.

Adopted upon a voice vote 7/25/2008.

Absent - Samuels.

Room 315 City Hall

Minneapolis, Minnesota

July 25, 2008 - 11:39 a.m.

The Council met pursuant to adjournment.

Council President Johnson in the Chair.

Present - Council Members Hofstede (in at 11:46 a.m.), Ostrow, Schiff (in at 11:40 a.m.), Lilligren, Colvin Roy, Glidden (in at 11:41 a.m.), Remington, Benson, Goodman, Hodges, Gordon, President Johnson.

Absent – Council Member Samuels.

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Jim Moore stated that the meeting may be closed for the purpose of discussing attorney-client privileged matters involving the Arradondo, et al v. City of Minneapolis, et al, United States District Court File No. 07-CV-4736, lawsuit.

At 11:40 a.m., Lilligren moved that the meeting be closed. Seconded.
Adopted upon a voice vote.
Absent - Samuels.

Present - Council Members Hofstede (out 1:18-1:23 p.m.), Ostrow (out 12:46-12:49 p.m.), Schiff, Lilligren (out 12:39-12:43; 1:29-1:33; 2:29-2:36 p.m.), Colvin Roy (out 1:39-1:46 p.m.), Glidden, Remington (out 2:09-2:13 p.m.), Benson, Goodman (out 1:39-1:44 p.m.), Hodges (out 12:58-1:02; 2:14-2:16 p.m.), Gordon (out 2:02-2:05 p.m.), President Johnson.

Absent – Council Member Samuels.

Also Present – Susan Segal, City Attorney; Peter Ginder (out at 2:05 p.m.), Deputy City Attorney; Jim Moore, Lisa Needham (out approximately 1:20-1:55 p.m.), Michael Bloom, Assistant City Attorneys; R.T. Rybak (out at 1:29 p.m.), Mayor; Tina Smith (out 1:29-1:34 p.m.), Mayor's Chief of Staff; Tim Dolan, Chief of Police; Kim Malrick, Assistant to Council Member Remington; Doug Kress, Assistant to Council Member Goodman; Steven Ristuben, City Clerk; and Irene Kasper, City Clerk's Office.

Jim Moore summarized the Arradondo, et al v. City of Minneapolis, et al, United States District Court File No. 07-CV-4736, lawsuit from 11:44 a.m. to 2:49 p.m.

At 2:50 p.m., Lilligren moved that the meeting be opened. Seconded.
Adopted upon a voice vote.
Absent - Samuels.

Lilligren moved to adjourn at 2:50 p.m. Seconded.
Adopted upon a voice vote.
Absent - Samuels.

The adjourned session of the City Council meeting was tape recorded with the tape on file in the office of the City Clerk.

Steven J. Ristuben,
City Clerk.

Unofficial Posting: 7/28/2008
Official Posting: 8/01/2008
Correction: 10/16/2008; 12/10/2008